

## ISLE OF WIGHT COUNCIL PLANNING SUB COMMITTEE - TUESDAY, 26 JUNE 2012

### REPORT OF THE HEAD OF PLANNING AND REGULATORY SERVICES

#### WARNING

1. THE RECOMMENDATIONS CONTAINED IN THIS REPORT OTHER THAN PART 1 SCHEDULE AND DECISIONS ARE DISCLOSED FOR INFORMATION PURPOSES ONLY.
2. THE RECOMMENDATIONS WILL BE CONSIDERED ON THE DATE INDICATED ABOVE IN THE FIRST INSTANCE. (In some circumstances, consideration of an item may be deferred to a later meeting).
3. THE RECOMMENDATIONS MAY OR MAY NOT BE ACCEPTED BY THE PLANNING COMMITTEE AND MAY BE SUBJECT TO ALTERATION IN THE LIGHT OF FURTHER INFORMATION RECEIVED BY THE OFFICERS AND PRESENTED TO MEMBERS AT MEETINGS.
4. YOU ARE ADVISED TO CHECK WITH THE DIRECTORATE OF ECONOMY AND ENVIRONMENT (TEL: 821000) AS TO WHETHER OR NOT A DECISION HAS BEEN TAKEN ON ANY ITEM BEFORE YOU TAKE ANY ACTION ON ANY OF THE RECOMMENDATIONS CONTAINED IN THIS REPORT.
5. THE COUNCIL CANNOT ACCEPT ANY RESPONSIBILITY FOR THE CONSEQUENCES OF ANY ACTION TAKEN BY ANY PERSON ON ANY OF THE RECOMMENDATIONS.

#### Background Papers

The various documents, letters and other correspondence referred to in the Report in respect of each planning application or other item of business.

**Members are advised that every application on this report has been considered against a background of the implications of the Crime and Disorder Act 1998 and, where necessary, consultations have taken place with the Crime and Disorder Facilitator and Architectural Liaison Officer. Any responses received prior to publication are featured in the report under the heading Representations.**

**Members are advised that every application on this report has been considered against a background of the implications of the Human Rights Act 1998 and, following advice from the Deputy Director of Resources (Corporate Governance), in recognition of a duty to give reasons for a decision, each report will include a section explaining and giving a justification for the recommendation.**

## LIST OF PLANNING APPLICATIONS TO COMMITTEE – 26 JUNE 2012

01	<a href="#">P/00079/11 TCPL/22055/R</a>	Brading	Conditional Permission
<b>Page 5</b>	<p>The Brading Experience, 1 Quay Lane and, 46-51 High Street, Brading, Sandown, Isle of Wight.</p> <p>Demolition of single storey buildings to the side and rear of the site and the former cafe building fronting Quay Lane; change of use of former Brading Experience and shop to an antique and craft centre, shop and cafe with 3 flats retained on first floor; one block of 4 terraced houses and a detached house fronting Quay Lane; 4 detached houses off Quay Lane; associated parking; alterations to approved conversion of "World of Wheels" building to auction room with associated parking; alterations to vehicular access; provision of a playground (revised description) (revised scheme)(readvertised application).</p>		
02	<a href="#">P/00080/11 LBC/22055/P</a>	Brading	Conditional Permission
<b>Page 27</b>	<p>The Brading Experience, 1 Quay Lane and, 46-51 High Street, Brading, Sandown, Isle of Wight.</p> <p>LBC for demolition of single storey buildings to the side and rear of the site and the former cafe building fronting Quay Lane; change of use of former Brading Experience and shop to an antique and craft centre, shop and cafe with 3 flats retained on first floor; one block of 4 terraced houses and a detached house fronting Quay Lane; 4 detached houses off Quay Lane; associated parking; alterations to approved conversion of "World of Wheels" building to auction room with associated parking; alterations to vehicular access; provision of a playground (revised description) (revised scheme)(readvertised application).</p>		
03	<a href="#">P/00154/11 CAC/22055/S</a>	Brading	Conditional Permission
<b>Page 28</b>	<p>The Brading Experience, 1 Quay Lane and, 46-51 High Street, Brading, Sandown, Isle of Wight.</p> <p>Conservation Area Consent for demolition of single storey buildings to the side and rear of the site and the former cafe building fronting Quay Lane; change of use of former Brading Experience and shop to an antique and craft centre, shop and cafe with 3 flats retained on first floor; one block of 4 terraced houses and a</p>		

	detached house fronting Quay Lane; 4 detached houses off Quay Lane; associated parking; alterations to approved conversion of "World of Wheels" building to auction room with associated parking; alterations to vehicular access; provision of a playground (revised description) (revised scheme)(readadvertised application).		
04	<a href="#">P/01173/11 TCP/23877/H</a>	<b>Godshill</b>	<b>Conditional Permission</b>
<b>Page 30</b>	Willow Tree Tea Gardens, High Street, Godshill, Ventnor, Isle of Wight.  Demolition of tea-rooms and part of cottage; outline for replacement tea-rooms with flat over, detached house and two flats; alterations to cottage; parking; alterations to vehicular access (revised scheme)(revised plans)(readadvertised application).		
05	<a href="#">P/01174/11 CAC/23877/G</a>	<b>Godshill</b>	<b>Conditional Permission</b>
<b>Page 47</b>	Willow Tree Tea Gardens, High Street, Godshill, Ventnor, Isle of Wight.  Conservation Area Consent for demolition of tea-rooms and part of cottage in connection with outline for replacement tea-rooms with flat over, detached house and two flats; alterations to cottage; parking; alterations to vehicular access (revised scheme).		
06	<a href="#">P/00283/12 TCP/30931</a>	<b>Nettlestone and Seaview</b>	<b>Refusal</b>
<b>Page 49</b>	The Copse, Eddington Road, Seaview, Isle of Wight.  Demolition of bungalow; two detached dwellings with vehicular accesses and parking (revised plans showing revised vehicular access/visibility splays and turning area).		
07	<a href="#">P/01536/11 TCP/28681/C</a>	<b>Lake</b>	<b>Refusal</b>
<b>Page 58</b>	18d, Sandown Road, Lake, Isle of Wight.  Demolition of veterinary surgery; proposed shop with two flats over; parking (revised plans relating to site area (red line), parking layout and design and external appearance of the building) (readadvertised application).		

**Page 69** Catholic Church, Seafield Road, Seaview, Isle of Wight.

Demolition of church; construction of detached dwelling; detached garage/boat store with pergola; vehicular access and parking (revised scheme).

01      **Reference Number: P/00079/11 - TCPL/22055/R**  
**Parish/Name: Brading - Ward/Name: Brading, St Helens and Bembridge**  
**Registration Date: 25/01/2011 - Full Planning Permission**  
**Officer: Steve Wiltshire Tel: (01983) 823552**  
**Applicant: Aceport Property Ltd**

**Demolition of single storey buildings to the side and rear of the site and the former cafe building fronting Quay Lane; change of use of former Brading Experience and shop to an antique and craft centre, shop and cafe with 3 flats retained on first floor; one block of 4 terraced houses and a detached house fronting Quay Lane; 4 detached houses off Quay Lane; associated parking; alterations to approved conversion of "World of Wheels" building to auction room with associated parking; alterations to vehicular access; provision of a playground (revised description) (revised scheme)(readadvertised application)**

**The Brading Experience, 1 Quay Lane and, 46-51 High Street, Brading, Sandown, Isle of Wight.**

**The application is recommended for Conditional Permission**

#### **REASON FOR COMMITTEE CONSIDERATION**

This application has been referred to the Planning Committee for consideration as it comprises a comprehensive development of the Brading Experience site, which Members considered in part at their meeting of 24 August 2010, when conditional planning permission was granted for the change of use of the World of Wheels building on this site to auction rooms. Officers consider that it is appropriate to bring the comprehensive development of this site for Member's consideration.

#### **MAIN CONSIDERATIONS**

The main issues in the consideration of this application are;

- Principle of the change of use of the buildings and new built development.
- Design and layout of the proposed development.
- Impact on the neighbouring properties and uses.
- Impact on Brading Conservation Area and neighbouring listed buildings.
- Impact on archaeological heritage.
- Impact on trees.
- Impact on protected species.
- Access and parking arrangements for the proposed development.

### **1.      Details of Application**

1.1.    This report relates to three separate applications for planning permission, listed building consent and conservation area consent to provide a mixed use development comprising the following elements;

- The change of use and alterations to Rectory Mansions into an antique and craft centre;
- The demolition of the Brading Experience buildings adjacent to Rectory Mansions;
- Construction of 9 residential dwellings in the form of; a terraces of 4 houses

- fronting Quay Lane, a detached house fronting Quay Lane and a courtyard of 4 detached houses in the southern section of the site;
- Change of use of the “World of Wheels” building into an auction room, including minor alterations to the building;
- Change of use of “Kyniges” retail unit into a gift shop and café, with 3 flats retained to the first floor;
- A playground; and
- Alterations to the vehicular and pedestrian accesses and parking arrangements at this site.

## **2. Location and Site Characteristics**

- 2.1. The application site comprises the Brading Experience, a museum attraction situated on the corner of High Street and Quay Lane, Brading. Rectory Mansions are the principal buildings in this group comprising a pair of two storey half-timbered buildings with thatched roofs sited adjacent to the highway boundary at the road junction. To the south of Rectory Mansions, fronting Brading High Street are a series of single and two storey buildings in a terraced plan form which are in a mix of commercial and residential uses. The Brading High Street frontage is identified as a Conservation Area and is characterised by terraces of two storey cottage style buildings in a mix of land uses. To the rear of the site is the former “World of Wheels” building which has recently been converted into an auction room.
- 2.2. To the east of Rectory Mansions are a series of more modern single storey buildings associated with the museum use. These are subdivided by an access drive into the area to the rear of the buildings which forms a parking area to serve the existing buildings. The application site also includes a children’s play area to the rear of The Bugle Public House, which adjoins the application site to the south.
- 2.3. The character of the area changes to the east of the application site with residential properties fronting Quay Lane in a more rural setting. To the north of Quay Lane, opposite the application site are situated St Mary’s Church and Brading Old Town Hall, which are listed buildings. Residential dwellings are situated on the north-western side of Brading High Street to the west of the application site.

## **3. Relevant History**

- 3.1 The following applications are relevant to the consideration of the current application.

P/01705/02	Redevelopment to include erection of building for 'mechanical world' exhibition; conversion of garage block into shop/cafe; use of upper floors (no.50) as 2 flats & associated parking.	Approved – 9.7.2002
P/00592/10	Demolition of links; alterations and change of use of "World of Wheels" building to auction sales room.	Conditional Approval – 10.9.2010
P/00558/10	LBC for internal and external works to Rectory Mansions to include removal of stud partitions and conversion to heritage centre; demolition of adjacent buildings and works to boundary walls; blocking up two access doors on east elevation.	Refused – 15.6.2010 <ul style="list-style-type: none"> <li>• Insufficient information to justify the proposed alterations.</li> </ul>

P/00357/10	Demolition of buildings to rear of site; alterations and conversion of Rectory Mansions to heritage centre; alterations and conversion of Kynges retail unit to shop and cafe; alterations and change of use of "World of Wheels" building to auction room; residential development comprising 3 detached houses, one terrace of three and two terraces of four houses (14 in total); playground; parking and alteration to vehicular access.	<p>Refused – 16.7.2010</p> <ul style="list-style-type: none"> <li>• Insufficient justification for loss of the commercial use.</li> <li>• No appropriate redevelopment scheme put forward.</li> <li>• No affordable housing provision.</li> <li>• Poor design of the residential units.</li> <li>• Poor layout of residential units.</li> <li>• Overlooking of neighbouring property.</li> <li>• Potential adverse relationship between residential dwellings and auction rooms.</li> <li>• Inadequate information with regard to bats.</li> <li>• Inadequate information in relation to disposal of surface water.</li> <li>• Inaccuracies in submitted plans.</li> </ul>
P/00358/10	Conservation Area Consent for demolition of buildings to rear of site in connection with the conversion of Rectory Mansions to heritage centre; alterations and conversion of Kynges retail unit to shop and cafe; alterations and change of use of "World of Wheels" building to auction room; residential development comprising three detached houses, one terrace of three and two terraces of four houses (14 in total); playground; parking and alteration to vehicular access.	<p>Refused – 16.7.2010</p> <ul style="list-style-type: none"> <li>• No appropriate redevelopment scheme put forward.</li> </ul>

#### 4. **Development Plan Policy**

##### National Planning Policy Framework.

4.1. The NPPF sets out three roles (economic, social and environmental) that should be performed by the planning system. The Framework states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):

- making it easier for jobs to be created in cities, towns and villages
- moving from a net loss of bio-diversity to achieving net gains for nature
- replacing poor design with better design
- improving the conditions in which people live, work, travel and take leisure and
- widening the choice of high quality homes

## Local Planning Policy

### Island Plan Core Strategy.

4.2 The Island Plan Core Strategy identifies the application site as being within the settlement boundary for Brading, and also partly within Brading Conservation Area. The following policies are relevant to this application.

- SP1 - Spatial Strategy – Supports development on appropriate land within or immediately adjacent the defined settlement boundaries of the Key Regeneration Areas, Smaller Regeneration Areas and Rural Service Centres. Brading is identified as a Rural Service Centre, and the application site is within the defined settlement boundary of Brading.
- SP2 - Housing – Sets out a distribution for the delivery of new housing on the Island, including the provision of 980 new dwellings within the Rural Service Centres and Wider Rural Area over the period 2011 – 2027.
- SP3 - Economy – Focuses economic growth in the Island's economy upon employment, retail and high quality tourism, which will expected to be primarily located in the Key and Smaller Regeneration Areas.
- SP5 - Environment – Offers support for proposals that protect, conserve and / or enhance the Island's natural and historic environments, and to protect the integrity of internal, national and local designations.
- SP7 - Travel - Offers support for proposals that increase travel opportunities and provide alternative means of travel to the car. Development proposals should not negatively impact on the Island's strategic road network, or the capacity of lower level roads to support the proposed development.
- DM2 - Design Quality for New Development – Gives support to proposals for high quality and inclusive design to protect, conserve and enhance the existing environment whilst allowing change to take place. The policy states that relevant information relating to the site size, location and context is required and that proposals will be expected to provide an attractive, functional and adaptable built environment, optimise the potential of the site taking into account constraints, be appropriately landscaped and compliment the surrounding area.
- DM8 - Economic Development – In principle gives support to growth in economic development.
- DM10 – Rural Service Centres and the Wider Rural Area – Supports proposals that contribute to the vitality and viability of the rural service centres. In particular the policy seeks to preserve retail uses within these areas.
- DM11 - Historic and Built Environment – Supports proposals that positively conserve and enhance the special character of the Island's historic and built environment.
- DM12 - Landscape, Seascape, Biodiversity and Geodiversity – Supports proposals that conserve, enhance, and promote the landscape, seascape, biodiversity and geological interest of the Island.



## **5. Consultee and Third Party Comments**

### Internal Consultees

- 5.1. Highways Engineer – No objection to the proposal. Conditions relating to; the provision of car parking, details of road construction, timing of occupation of the development, and pedestrian access are requested.
- 5.2. Tree Officer – Considers that the proposed landscaping plan would mitigate the loss of trees on the site. Conditions relating to; agreement of an arboreal method statement, protective fencing during construction; and landscaping are requested.
- 5.3. Senior Ecology Officer – Concludes that the demolition of the buildings can proceed without a bat licence. A condition requiring the provision of bat boxes is requested.
- 5.4. Senior Environmental Health Practitioner – Recommends the imposition of conditions restricting the use of the Kynges premises to a low odour / low grease food category. A contaminated land condition is also requested.

### External Consultees

- 5.5. English Heritage – Do not wish to offer any comments on the development. Recommend that the application should be determined in accordance with national and local policy guidance and on the basis of the Local Authority's specialist conservation advice.
- 5.6. Southern Water - Make no objection to the development. Request an informative note to the applicant in relation to a new connection to the public sewer. SUDS systems are not adoptable by the sewerage undertakers, and the Local Planning Authority should ensure that where a SUDS scheme is implemented appropriate details are agreed. The Environment Agency should comment on the adequacy of details to discharge surface water to a local watercourse.
- 5.7. Environment Agency – Make no objection to the proposed development. Advisory notes to the applicant are requested.

### Parish Council Comments

- 5.8. Brading Town Council.

The Town Council is unable to support the application until resolutions to the following issues are given;

- Access to the site from Quay Lane is difficult particularly for large vehicles, and this junction is not safe.
- Emergency vehicles may not be able to access the site quickly and safely.
- The footpath link necessitates crossing the auction rooms parking area, which is not safe.
- The pedestrian footpath outside the new entrance to Rectory Mansions is unsafe.
- Assurance needs to be given that the public sewer can cope and there is space for surface water drainage.
- Assurance needs to be given that the water and electricity supply can cope.
- There is residual contamination from the former garage use.

### Third Party Representations

- 5.9 31 letters of representation objection to the development were received at the time of the original consultation in February 2011. These included objections from the CPRE, Brading Town Trust and Brading Resident's Action Group.
- 5.10 The applications were re-advertised on 13 April 2012 for a further period of public consultation, based on the revised site layout and dwelling designs. At this time 226 letters of representation have been received. Of these letters 225 object to the applications on the following grounds, as summarised below.
- Reasons for refusal on P/00357/10 are still applicable.
  - Loss of a commercial site to a residential use.
  - Potential damage to the neighbouring listed buildings from construction traffic.
  - The proposed design, scale and appearance of the residential development is not in keeping with the area.
  - The playground is currently for use by customers of the Bugle PH and would become an eyesore.
  - The wax museum or similar attraction should be retained to support the local economy.
  - Lack of parking to serve the development, particularly the auction rooms.
  - An appropriate redevelopment scheme has not been put forward to replace the buildings proposed to be demolished.
  - Conflict between the auction house and residential uses.
  - Traffic generation from the proposed development would have an adverse impact on road safety within Quay Lane which is of restricted width and at the junction with High Street.
  - Fluctuations in the local water and electricity supply.

For clarity Members should note that 28 of these were individual letters of objection and 228 were in the form of a "pro-forma" letter. This pro-forma appears to require a 'delete as appropriate' as to whether the signatory either agrees to the change of use elements of the scheme, or strongly objects to the development for the reasons given in the previous planning application. From those received 48 strongly objected, 11 supported and 169 did not delete either the support or object text.

One letter has been received in support of the scheme on the basis that the site is currently an eyesore and development would tidy up the area. Also the museum closed through a lack of visitor's therefore another such business is unlikely to be successful. The antiques centre would bring visitors to the town.

A petition with 249 names objecting to residential development on the former Wax Museum site on grounds of loss of a tourist attraction and impact on the economy of Brading and that the site should not be developed for housing has been received as an "on-line" e-petition, listing signatories names and postal addresses.

- 5.11 All respondents have been written-to to provide a further opportunity to comment on the revised scheme. This is in order to provide clarity of the actual revisions themselves. At the time of writing, no additional responses have been received. Any further responses will be reported to members at the Planning Committee meeting.

## **6. Evaluation**

### **Principle and Policy Considerations**

- 6.1 The Core Strategy of the Island Plan identifies the application site as being within the settlement boundary for Brading, which is defined as a Rural Service Centre. The Brading Conservation Area bisects the application site in a north-south direction, and the site is in close proximity to several listed buildings. The site is within an area of mixed land uses with a mix of commercial and residential uses within the Brading High Street frontage, with a more residential character to the east of the site.
- 6.2 In terms of principle it is considered that since the site is within the settlement boundary for Brading, the change of use of the buildings to an alternative commercial use within a mixed use area, and the provision of new dwellings is acceptable in principle, in accordance with the aims of Policy SP1 of the Core Strategy.
- 6.3 The various elements comprising this mixed use development scheme are considered in more detail below.

### **Use of Rectory Mansions as a Craft / Antiques Centre**

- 6.4 Rectory Mansions has an authorised use as a museum as part of the Brading Experience, although this business has now ceased trading. The application proposes that the Rectory Mansions element of the application site would be used as a Craft / Antiques centre.
- 6.5 The proposed development would result in the loss of a tourist attraction, known as the Brading Experience, which provided a museum type of visitor attraction within the building which opened in the 1960's. The Brading Experience was closed to the public at the end of 2009, and all exhibits have been removed from the site. A confidential report enclosing visitor numbers for the Brading Experience and financial accounts prepared by chartered accounts for the business have been submitted in support of the planning application.
- 6.6 This confidential report shows that visitor numbers have declined significantly over the period 2002 to 2010 despite the opening of the Destination factory outlet and Carousel café in 2003 and the World of Wheels in 2006. The number of school parties also showed a substantial decrease over the period 2003 to 2009. The applicant considers this trend to be in line with national records for day visitor attractions, a general decline in the Island's tourist economy and the changing tastes of tourist. The financial accounts for the years 2007 to 2010 also show a decrease in turnover over this period, with an operating loss incurred over each of these years, during which time no rent or management fees were paid to Aceport Properties, the parent company. The accounts conclude that the real annual losses of the company are substantial and that the company is unable to continue trading.
- 6.7 The report on the Commercial Viability of the Brading Experience site, prepared by a commercial agent, concludes that a tourist related or similar allied use would be most appropriate for the listed building elements on the site, given the attractive façade and location on a busy road. The extensions to the rear of the listed building are considered to be of poor quality and would be a significant drain on any enterprise operating from them. The report concludes that the extensions are well past their useful date and should be demolished. The retail / café structure again is considered to be of poor construction and reaching the end of its useful lifespan, and is not considered to be worthy of the cost of renovation to bring the building to an acceptable standard.

- 6.8 In the consideration of alternative uses for the site, the Commercial Viability report concludes that the significant tourism related developments on the Island are few and far between, with most such development that has taken place relating to hotel accommodation, which the site is not large enough to support a significant or economically viable hotel.
- 6.9 From an internal inspection of the Rectory Mansions building Officers note that it contains many sub-divisions which were used as displays for exhibits as part of the former museum use. As such Officers consider that the building lends itself to re-use as an antiques centre, utilising the existing subdivisions for individual concession units. Given the layout of this listed building there are limited uses that this building could be put to without major alterations to the fabric of this building. Officers are of the opinion that the proposed use as an antiques centre would retain an active commercial use along the High Street frontage which would also compliment the approved auction room use on the adjacent site, in line with the aims of Policy DM10 (Rural Service Centres and the Wider Rural Area) to contribute to the vitality and viability of the area.
- 6.10 Therefore from the confidential financial reports and an assessment of the site, Officer's conclude that whilst the loss of the tourism use is regrettable, with the form and layout of the existing buildings on this site, their listing, and the limited size of the site, it is unlikely that a tourism based use could be found to occupy this site. The current proposal provides a commercial frontage to Brading High Street through the provision of an antiques / craft centre, as well as a café use, with an auction house already operating from the former World of Wheels building. Therefore Officers consider that a commercial use along the main frontages would be retained as part of the development, to partially mitigate the loss of the tourist based use. As such it is considered the first reason for refusal for planning application P/0035587/10 has been overcome.

#### **Impact on the Fabric of Listed Building**

- 6.11 The proposed changes to the listed building to the allow the change of use to an antiques / craft centre are minimal and comprise the removal of some stud partitions dating to the 1960's when the building was first converted into a waxworks museum.
- 6.12 The designation of Rectory Mansions as a listed building relates to the architectural and evidential qualities of the early domestic dwelling, and the significance of the asset also lies in its townscape value of the building. Officers consider that these heritage values and interests will not be adversely affected since there is minimal impact to the historic fabric as the current (modern) internal layout can continue and building regulation requirements have been met through withdrawing use of the top (second) floor from public access and enhancing the provision of existing fire escape signage and lighting systems. The re-use of the building will enable appropriate repairs to be secured which may enhance the aesthetic value of the building and its contribution to the conservation area. Officers consider that the requirements of paragraph 131 of the NPPF in terms of the desirability of sustaining and enhancing the significance of heritage assets and putting them to a viable use which is consistent with the building's conservation, and would utilise the building with very minimal change. In addition, the proposal would relate to the re-use and maintenance of a heritage asset in line with criterion 2 of Policy DM11 of the Core Strategy.
- 6.13 Therefore the proposal is considered to reflect the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, guidance contained within the National Planning Policy Framework and Policy DM11 of the Core Strategy.

### **Demolition of the existing Brading Experience buildings adjacent to Rectory Mansions.**

- 6.14 The existing buildings on this site are partly within Brading Conservation Area, therefore Conservation Area Consent is required for their demolition. Accordingly an assessment is required in terms of the loss of these buildings in terms of the impact on the setting of the conservation area and adjacent listed buildings as well as the acceptability of the replacement development.
- 6.15 From the Commercial Viability report it is noted that this report concludes that these buildings are at the end of their lifespan and are unviable for reuse and should be demolished. From a site inspection, Officers concur with this conclusion that the buildings are in a poor state of repair and present a visually poor quality of built form within the Quay Lane street scene. The buildings proposed to be demolished are modern single storey buildings which lie behind the High Street and abut the historic properties. These buildings are considered to be of low quality and are not particularly visible or dominant and therefore their contribution to the setting is neutral and demolition is unlikely to have an adverse impact on the Conservation Area or the setting of the listed buildings.
- 6.16 Therefore the buildings do not make a positive contribution to the Conservation Area and the principle for the demolition of these buildings is accepted by Officers, in accordance with the aims of Government guidance set out within paragraph 133 of the NPPF and criterion (ii) of Policy DM11 of the Core Strategy. This in principle acceptance of the demolition of the buildings is subject to an acceptable redevelopment scheme to replace their loss in order to protect or enhance the character and appearance of Brading Conservation Area. This is considered in detail in the sections below.

### **Development of 9 Dwellings**

- 6.17 **Principle of Housing Development** - The part of the application site proposed for new residential development comprises a former museum use with associated facilities and a car parking area. The site therefore constitutes previously developed land within a Rural Service Centre, thus is considered to be a sustainable location in accordance with the aims of Policy SP1 of the Core Strategy.
- 6.18 Policy SP2 of the Core Strategy provides for 980 dwellings through smaller scale development at the Rural Service Centres, therefore the provision of 9 dwellings would assist in the provision of dwellings in this location.
- 6.19 **Design and Layout of the Proposed Dwellings** – The design and layout of the proposed dwellings requires detailed assessment against the requirements of Policy DM2 (Design Quality for New Development) of the Core Strategy as well as Government advice on good design set out in Section 7 of the NPPF.
- 6.20 Units 1 – 4 are shown as a terrace of 3 bedroom two storey dwellings fronting Quay Lane adjacent to Rectory Mansions, with a rear amenity area and a hardstanding to the south providing 1 vehicle parking space for each of the dwellings. The dwellings are shown to be of a traditional Victorian design with gabled roofs, incorporating chimneys and stepped in the centre. One pair of the dwellings would be red brick and the other render, with stone cills and lintels, timber sash windows and a natural slate roof. In terms of the layout, the dwellings would be set back from the side wall of Rectory Mansions to provide a view of the side elevation of this listed building from the east. The scale of the dwellings are shown to be similar in scale to Rectory Mansions, similar to other such terraced properties within the High Street, and are considered to be acceptable in terms of height, scale and massing. The dwellings would have

private garden areas ranging in depth from around 9.0 to 13.0 metres and in general meet the best practice guidelines of 10 metres and are considered to be of an acceptable size for a 3 bedroom family home. The boundary treatment to the east of plot 4 is proposed as a 1.5m high brick wall which would continue around the southern boundary to enclose the rear garden areas of plots 1-4.

- 6.21 Plot 5 is shown as a 4 bedroom detached house of Edwardian style with front bay window and a fully hipped roof. Materials are red/orange brick with stone cills and decorative brickwork, timber sash windows and a natural slate roof. The design of the dwelling reflects other dwellings in the locality and is considered to be of an acceptable design. In respect of the scale of the dwelling at two storey, whilst it is noted that the neighbouring dwelling to the east (No. 3 Quay Lane) is a bungalow, Quay Lane comprises a mix of dwelling sizes with many 2 storey properties. It is considered that the scale and massing of the proposed dwelling would be visually acceptable within the street scene. The proposed dwelling would have a rear garden area with depth of 12.0 metres, with hard standing area for 2 vehicles in a tandem arrangement to the south, the depth of garden area is considered to be commensurate with the size of dwelling proposed. The proximity of Plot 5 Quay Lane to Plot 6 “Stable Cottage” to the south is a minimum of 28 metres and thus exceeds the 21metre best practice guideline. A boundary wall is proposed along the western boundary to enclose the rear garden area.
- 6.22 Plots 6 – 9 are shown as a courtyard style of development in a horseshoe shaped arrangement around a central turning area to provide 4 number 2 bedroom dwellings. The buildings would be two storeys in height with the design concept showing traditional houses with hipped slate roofs with projecting gable features. The materials for these dwellings are indicated as coloured render above brick and decorative brickwork detailing to the windows, timber sash windows under a natural slate roof. Hardstandings for 2 vehicles would be provided to serve each of the dwellings. The scale, massing and traditional design of the dwellings at two storeys is considered to be in accordance with the other dwellings proposed in this development and in the surrounding area. These dwellings would each have private amenity areas with a depth of at least 10 metres, which is acceptable for the size of the proposed dwellings. It is noted that the southern elevation of Plots 8 and 9 would back onto a car parking area serving the Bugle at a distance of 5.5 metres. The existing conifers would be replaced with a beech or hornbeam hedge, with the ground floor rooms serving a kitchen and wc, thus the principal living accommodation would face onto their garden areas and not the car park.
- 6.23 In general the siting and the design of the proposed buildings are considered to be acceptable. The proposed layout of the development would provide a landscaped buffer 7 metres in depth between the proposed dwellings and the auction rooms, with other areas for soft landscaping breaking up small pockets of hard surfacing for car parking within the development. At the entrance to the development and around the communal areas, a 1.5 metre high brick wall would be constructed to provide a visually robust boundary treatment to these properties. Therefore overall the proposal is considered to provide a mixed use development of an acceptable layout and design in accordance with the aims of Policy DM2 of the Core Strategy and Government advice in the NPPF.
- 6.24 **Impact on the Setting of Brading Conservation Area and the Adjacent Listed Buildings** – It is noted from paragraphs 6.14 – 6.16 above that Officers have accepted the principle for the demolition of the existing modern buildings on this site, subject to an appropriate redevelopment scheme. The proposed dwellings are all two storey and are of a similar mass, scale and height as other residential buildings within the conservation area. The proposed houses are of a traditional design specified with natural slate, red brick stone cills and painted timber windows. Therefore Officers

consider that the layout and form of the development is acceptable in terms of impact on the character and appearance of the conservation area.

- 6.25 English Heritage do not wish to offer any comments on the application and recommend that the application be determined in accordance with national and local policy guidance and on the basis of the Local Authority's specialist conservation advice.
- 6.26 Therefore it is considered that this element of the proposal is acceptable and would protect or enhance the character and appearance of Brading Conservation Area and the setting of the neighbouring listed buildings in accordance with the aims of Government guidance contained within paragraph 137 of the NPPF, the requirements of Planning (Listed Building and Conservation Areas) Act 1990 and the aims of Policies SP5 and DM11 of the Core Strategy.
- 6.27 **Impact on Neighbouring Occupiers from the proposed dwellings** – The main impact of the proposed residential development would be on occupiers of the neighbouring dwellings situated on the southern side of Quay Lane. No 3 is a detached bungalow situated adjacent to the dwelling proposed as Plot 5, and on a similar alignment approximately 4.5 metres from the side of this dwelling. Plot 5 would replace an existing substantial built structure on this site, the proposed dwelling would have no windows in the eastern side elevation and is considered to have an acceptable relationship with this neighbouring property.
- 6.28 Plot 6 is a detached house situated to the south-west of the properties in Quay Lane. The proposed dwelling would be situated approximately 22 metres from the rear of No. 3 Quay Lane at a ground level approximately 2.75 metres below that of No. 3 and sited approximately 16 metres from the boundary with that neighbouring property. Therefore this degree of separation is considered to be in accordance with best practice guidelines, and Officers consider that the proposed dwelling would have an acceptable relationship with No. 3 Quay Lane in terms of overlooking and overbearing impact. The proposed dwelling would be sited 26.0 metres from No. 5 Quay Lane and would have no windows in the eastern side elevation adjacent to the boundary with this property and therefore is considered that the proposed dwelling would have an acceptable relationship with this neighbouring property in terms of overlooking and overbearing impact.
- 6.29 The remaining dwellings proposed in the courtyard development would be situated over 29 metres from the properties in Quay Lane and at a substantially lower ground level. With this degree of separation these dwellings would have an acceptable relationship with the neighbouring properties.
- 6.30 Therefore it is considered that the proposal meets the aims of Policy DM2 of the Core Strategy in this regard and overcomes the reason for refusal of the previously submitted scheme.
- 6.31 **Provision of affordable housing** – The application site is within a Rural Service Centre where the threshold for the provision of on-site affordable housing for submitted schemes is given as 10 units and above within Policy DM4 (Locally Affordable Housing). The development proposes the provision of 9 units, therefore falls below the requirements for the provision of on-site affordable housing. Thus reason for refusal no.3 on P/00357/10 is no longer applicable to this development.

#### **Change of Use of Kynges**

- 6.32 The "Kynges" building fronts Brading High Street and is currently vacant, although was formerly used as a retail unit. The current application proposes to change the use of the ground floor of this building to a combined retail unit and café. The building is

within Brading High Street which contains a mix of commercial and residential uses, and it is considered that the use of this building would be acceptable in principle.

- 6.33 The Council's Senior Environmental Health Practitioner requested further details from the applicant which confirmed that it is intended to operate the café element for the sale of hot and cold drinks, cakes and light snacks, which specifically excludes meals such as fish and chips, Chinese and Indian food and pizzas. In light of this information the Senior Environmental Health Practitioner has no objection to the proposal, subject to the imposition of a condition restricting the type of food to be sold to a low odour / low grease food category.
- 6.34 Externally, the proposed changes to the building comprise the removal of rear links with the Brading Experience buildings, incorporating external toilets into the building and making good the rear façade. The proposed changes would result in minor alterations to the rear elevation of the building and are considered to be visually acceptable within the street scene. An area for the storage of refuse would be provided to the rear of the commercial properties.
- 6.35 Therefore it is considered that this element of the proposal is acceptable and would protect or enhance the character and appearance of Brading Conservation Area in accordance with the aims of Government guidance contained with paragraph 137 of the NPPF and policy DM11 of the Core Strategy.

#### **Change of Use of the World Of Wheels Building to an Auction Rooms.**

- 6.36 The former World of Wheels building was granted a change of use to an auction rooms under planning permission P/00592/10, and this permission has been implemented.
- 6.37 The current application proposes changes to the external layout of the application site to the front of this building, to provide dedicated car parking and loading / unloading facility. The highway and parking implications associated with the whole development, including this element, are considered separately under the Vehicular Access and Parking Arrangements section below.
- 6.38 Concerns have been expressed about the relationship between the auction rooms and the residential development. The current scheme shows a separate entrance from the cul-de-sac into a self contained parking and loading area for the auction rooms. This is separated from the proposed residential dwellings in the courtyard by a landscaped buffer with a depth of 8 metres. It is considered that this would achieve a satisfactory degree of segregation between these uses.

#### **Other Issues**

- 6.39 **Archaeology** – The application site is within an area of high archaeological potential, as acknowledged within the Heritage Statement accompanying the planning application. An Archaeological Evaluation Report for the site has been undertaken by consultants, the results of which have been submitted in support of the planning application.
- 6.40 The Council's Planning Archaeologist has commented that the results of a pre-determination evaluation of the site were largely negative, although it is noted that the results of a watching brief on an adjacent plot in 2006 revealed a wealth of archaeological remains. Consequently the site is considered to retain some archaeological potential. The Planning Archaeologist advises that it would be unreasonable to require the developer to invest further resources into archaeological intervention, but some archaeological presence should be in place during the groundwork phase of any forthcoming development. It is therefore advises that the



County Archaeological unit should observe groundworks and record any significant archaeological deposits, which should be secured through a condition imposed on any planning permission granted. As such the Planning Archaeologist concludes that the proposed development accords with the aims of Policy DM11 of the Core Strategy and Government guidance in the NPPF.

- 6.41 **Impact on Trees** – There is a linear group of Cupressus forming the southern boundary of the site, and a Tree Report has been submitted in support of the planning application.
- 6.42 The Council's Tree Officer has commented that this is a large hedge of poor quality, although it does contribute to the area's verdant character. The applicant has confirmed that the conifer trees would be replaced with a native hedge, which would be a more visually appropriate feature in this location. The Tree Officer has confirmed that the landscaping plan is adequate to mitigate the tree loss that will occur during the development of the site and that the planned planting will ensure the differing landscapes such as the rural footpath and the housing development will be neatly blended. The choice of species (oak / hornbeam / elm / apple / pear and hazel) will also increase the surrounding environments biodiversity providing a greater level of habitat for birds and animals, since this species choice is indigenous to the British Isles. Conditions relating to the agreement of an arboreal method statement, the provision of protective fencing during construction and a landscaping scheme are recommended to be imposed on any permission granted. As such the proposal is considered to be in accordance with the aims of Policy DM12 of the Core Strategy in this regard.
- 6.43 **Provision of Children's Playspace** – A playground is indicated in the south-western corner of the site adjacent to the play area forming part of the Bugle PH. The development of 9 dwellings is below the threshold to require the on-site provision of children's playspace, therefore the incorporation of a children's play area into the scheme is to be welcomed.
- 6.44 **Impact on Protected Species (Bats)** – The application is accompanied by a Bat Survey Method Statement (Graham Street, September 2010), since the Brading Wax-works site has been a location for many records of bats over the years, in particular for Grey Long-eared Bat, an extremely rare species, during the spring months. Bats are protected species under the Wildlife and Countryside Act 1981 (as amended) and under The Conservation (Natural Habitats &c) Regulations 1994 (the Habitats Regulations).
- 6.45 The Survey Report found evidence of bat use of the Rectory Mansions building but no evidence in any of the other buildings. Although the survey did not find roosting bats, the evidence presented is clear in that the Rectory Mansions is used by bats. Previous records from this building confirm that at least two different species are involved, including the Grey Long-eared Bat, one of the rarest British species.
- 6.46 The Council's Senior Ecology Officer has commented that although there are no proposals to substantially alter the Rectory Mansions building, nevertheless demolition of the surrounding buildings and construction of new buildings, together with refurbishment and change of use of the Rectory Mansion could have impacts upon bats using the building.
- 6.47 The Senior Ecology Officer concludes that although the demolition of the buildings can proceed without the requirement for a Natural England bat license, the imposition of a condition requiring the provision of bat boxes within the development is recommended. As such the proposal is considered to be in accordance with the aims of criterion 2 of

Policy DM12 and the Government advice contained within paragraph 118 of the NPPF.

- 6.48 **Vehicular Access Arrangements** – The existing site is served via a vehicular access from Quay Lane between the modern buildings fronting this highway, leading to a parking area to the east of the existing buildings. It is also noted that the public car park at the northern end of Brading High Street is indicated as being in the ownership of the applicant.
- 6.49 In terms of visibility the Highways Engineer has visited the site and concluded that the visibility from the site into Quay Lane is in accordance with highway requirements set out in Manual for Streets for an unclassified highway governed by a 20 mph speed limit, which requires minimum visibility splays of “x” and “y” distances of 2.4 m and 22 m respectively.
- 6.50 The Highways Engineer has also assessed visibility at the junction of Quay Lane and High Street. When measured at the required setback (x) distance of 2.4m, a splay length (y) in excess of 43m is available when viewing to the north (approach traffic), and 21.5m when viewing to the south, thus visibility to the south is marginally substandard. However, the Highways Engineer considers that due to the nature of the proposed change of use of the land and building, the proposed development would not result in a significant increase in vehicles using this junction from the previous Brading Experience use. Therefore it is considered that a reason for the refusal of planning permission would not be sustainable based on this southerly visibility deficiency. In reaching this conclusion, consideration has been given to the carriageway width at this point and also the operation of the junction itself. While it is acknowledged that the close proximity of the building line at this point restricts any junction improvement, improvements are proposed as part of this application to extend and widen the existing lay-by that abuts the southern side of Quay Lane just east of the junction, which would aid vehicle movements in this area.
- 6.51 The Highways Engineer has confirmed that there was a recent accident at the junction of Quay Lane and the High Street. However highway records show that there have been no other recorded incidents within the last 5 years to suggest there is a problem at this point of the network. Current council highways policy requires 4 recorded incidents within a 3 year period before any investigation/ intervention would be undertaken.
- 6.52 In terms of the proposed onsite highway layout, the submitted plans show a carriageway width of 4.8m. The Highways Engineer has confirmed that this would provide adequate width for private and services vehicles to comfortably pass each other, including any vehicles parked on the access road itself. Two turning heads have also been shown to enable private, emergency and service vehicles to enter and exit the public highway in forward gear. The layout also allows for ease of access to the auction rooms, which are currently in operation for two days a week, within the site.
- 6.53 **Traffic Generation;** Trip generation databases suggests that the residential element of the scheme would generate circa 76 vehicle movements per day, which equates to a maximum of 8 vehicles per hour during the evening peak period. Based on the traffic assessment submitted as part of the application, the previous use of the site generated an average of 20 - 40 vehicles per hour, therefore the overall traffic volumes would be less than previously.
- 6.54 **Vehicle Parking** - The existing 3 flats above the Kynges shop have never benefitted from any allocated parking, and have not been provided with any as part of this application. That is acceptable as in essence that element of the site is to remain unchanged. A total of 32 on-site parking spaces are shown on the submitted drawings, which are split as follows; 11 of the spaces are for the use of the auction

rooms, leaving 19 for the residential element, and 2 service spaces for Rectory Mansions, which equates to an average of 2.1 spaces per dwelling. The site layout detailed on drawing no. 27015/75 shows 19 spaces will be provided to serve the proposed dwellings. Taking into consideration the proximity of the site to bus routes, the public car park and Brading train station, the provision of approximately 2 spaces per dwelling is considered to be an acceptable level of provision.

- 6.55 Officers acknowledge that there has been an element of inconsiderate parking on the days when the approved auction rooms have been operating. However Officers consider that some of this is related to the current situation with a large parking area adjacent to the auction rooms which would be replaced by dwellings, in addition this is not considered to be a material consideration when assessing this proposal since it is a parking enforcement / traffic management issue. Quay Lane is covered by existing Traffic Regulation Orders, so the access/parking problems that have been experienced on auction days could be solved utilizing existing enforcement powers, should the issue spread onto the adopted network. As such this is not considered to be a sustainable reason to recommend refusal of the planning application.
- 6.56 **Access By Other Modes of Travel** - Pedestrians can currently access the site via both Quay Lane and Public Footpath No.7 that runs along the southern boundary of the site, running through the car park of the Bugle Inn Public House and giving rise to direct access to Brading High Street. Both of these facilities will remain as part of the proposal with additional footways being provided within the site to aid the passage of pedestrians. It is noted that the proposed link for the footpath goes through the parking area.
- 6.57 Officers acknowledge that the existing footpath running along the southern side of Quay Lane is limited in term of width about the junction of the High Street. Consideration has been given to highway improvements in this area however due to the limited carriageway width and the adjacent listed building it would not be possible to increase the available footway width at this point. However as mentioned above, there is an alternative access to the site from the south for persons with restricted mobility.
- 6.58 The application site falls within 130.0m walking distance of Southern Vectis bus route 2 and 3 allowing onward travel to Ryde to the north and also 325.0m of bus route 2 and 3 in southerly direction giving access to Sandown, Shanklin, Godshill, Rookley, Newport and Shanklin. In addition, the site falls within 780.0m of Brading Railway station providing onward connection to Ryde, Sandown, Lake and Shanklin. As such Officers consider that this site is well served by modes of transport other than the private car.
- 6.59 It is noted that objections have been received in terms of the impact on the adjacent listed building from increased traffic. The Highways Engineer has confirmed that there is unlikely to be a significant increase in traffic in this area when considered against the historic use of this site. In addition the potential impact attributable to buildings from vehicle movements in this area is difficult to quantify, as existing vehicles have the right to access Quay Lane, therefore it is not considered that this is a sustainable reason to refuse the planning application.
- 6.60 **Drainage Infrastructure** – Southern Water has commented that it can provide foul water disposal to the proposed development, although have requested that a condition is imposed requiring details of the means of foul water disposal.
- 6.61 Southern Water has noted that the application forms state the proposal would use a SUDS system, although no details of this have been provided. However, Southern Water has raised no objection to the development on these grounds, and has

requested the imposition of a condition requiring the means of surface water disposal from the development. Officers consider that the means of surface water disposal can be acceptably controlled through a condition since there would be an engineering solution for these details, with sufficient space on-site for attenuation tanks if required.

- 6.62 Any fluctuations in the pressure of the water supply are a matter for the water provider and are not considered to be a material consideration in the determination of this planning application.
- 6.63 **Contaminated Land** – The application site was a former garage and therefore may be contaminated. The Council's Senior Environmental Health Officer has recommended the imposition of a condition requiring a contaminated land survey is carried out, and any subsequent remediation undertaken, is included on any planning consent.
- 6.64 **Electricity Supply** – Any fluctuations in the electricity supply are a matter for the electricity provider and are not considered to be a material consideration in the determination of this planning application.

## **7. Reasons For Approval.**

- 7.1 In reaching the decision to grant planning permission account has been taken of the National Planning Policy Framework and the Island Plan Core Strategy. In particular, the proposal has been assessed as complying with the following relevant policies or guidance:

### **NPPF**

SP1; Spatial Strategy.  
SP2; Housing  
SP3; Economy.  
SP5; Environment.  
SP7; Travel.  
DM2; Design Quality for New Development.  
DM8; Economic Development.  
DM10; Rural Service Centres.  
DM11; Historic and Built Environment.  
DM12; Landscape, Seascape, Biodiversity and Geodiversity.  
DM17; Sustainable Travel.

The principal reasons for granting planning permission are:

The application site is within the settlement boundary for Brading and the principle of the change of use of Rectory Mansions from a museum to an alternative commercial use and the provision of new residential development is acceptable. The proposed changes to Rectory Mansions would have minimal impact on the fabric of this listed building. The Council is satisfied that the proposal, including the demolition of some existing buildings, would preserve and enhance the character and appearance of Brading Conservation Area and the setting of the neighbouring listed buildings by virtue the layout, scale and design of the proposed dwellings. The proposal would have an acceptable relationship with the neighbouring properties and would also be acceptable in terms of considerations relating to; access and highway arrangements, drainage infrastructure, archaeology, protected species, trees and potential land contamination.

Having regard to the above and having taken into account all relevant material considerations, it is concluded that, with the imposition of conditions, the proposal is in full conformity with the provisions of the development plan.

## **8 Recommendation**

- 8.1 Grant planning permission for planning application P/00079/11 subject to the following conditions;

### **Conditions/Reasons:**

- 1 The development hereby permitted shall be begun before the expiration of 3 years from date of this permission.

**Reason:** To comply with Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans numbered; 27015/60, 27015/61, 27015/62A, 27015/63, 27015/64, 27015/66, 27015/67, 27015/68, 27015/69A, 27015/70, 27015/71, 27015/86A, 27015/87A, 27015/88A, 27015/89A, 27015/90A, 27015/91 and 27015/92B.

**Reason:** For the avoidance of doubt and to protect the amenity of the area and heritage assets in accordance with Policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy and Government advice in the National Planning Policy Framework.

- 3 No development shall take place until samples of materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

**Reason:** In the interests of the amenities of the area and to comply with policy DM2 (Design Quality for New Development) of the IW Unitary Development Plan.

- 4 No development shall commence on site until full details until a specification of the new timber windows (cross sections for glazing bars, sills, heads etc) has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, and thereafter maintained to the agreed specification.

**Reason:** In order to protect the character and appearance of Brading Conservation Area and the setting of the neighbouring listed building and to comply with Policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy and Government advice in the National Planning Policy Framework.

- 5 No part of the development hereby permitted shall commence until there has been submitted to and approved in writing by the Local Planning Authority;

- a) a desk-top study documenting all previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research report no's 2 & 3 and BS10175:2001; and, unless otherwise agreed in writing by the Local Planning Authority;
- b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk-top study in accordance with BS10175: 2001 – "Investigation of Potentially Contaminated Sites – Code of Practice"; and, unless otherwise agreed in writing by the Local Planning Authority;
- c) a remediation scheme to deal with any contaminant including an

implementation timetable, monitoring proposals and a remediation verification methodology. The verification methodology shall include a sampling and analysis programme to confirm the adequacy of decontamination and an appropriately qualified person shall oversee the implementation of all remediation.

The construction of buildings shall not commence until the investigator has provided a report, which shall include confirmation that all remediation measures have been carried out fully in accordance with the scheme. The report shall also include confirmation that all remediation measures have been carried out fully in accordance with the scheme. The report shall also include results of the verification programme of post-remediation sampling and monitoring in order to demonstrate that the required remediation has been carried out.

**Reason:** to protect the environment and prevent harm to human health by ensuring that where necessary, the land is remediated to an appropriate standard in order to comply with Part IIA of the Environmental Protection Act 1990.

- 6 No development shall take place until full details of hard or soft landscaping for the approved development have been submitted to, and approved in writing by, the Local Planning Authority. These details shall include; hard surfacing materials, means of enclosure (to include brick walls along the boundaries of communal areas), and a soft landscaping scheme including a schedule of plants, noting species, plant sizes and proposed numbers/densities and an implementation program. Development shall be carried out in accordance with the agreed details.

**Reason:** In order to protect the character and appearance of Brading Conservation Area and the setting of the neighbouring listed building and to comply with Policies DM2 (Design Quality for New Development), DM11 (Historic and Built Environment) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy and Government advice in the National Planning Policy Framework.

- 7 No dwelling hereby approved shall be occupied until a landscape management plan for the communal areas of open space, surfaces and boundaries within the application site has been submitted to, and agreed in writing by the Local Planning Authority. The development shall then only be operated in accordance with the agreed management scheme in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In order to ensure the on-going maintenance of landscaped areas to protect the character and appearance of Brading Conservation Area and the setting of the neighbouring listed building and to comply with Policies DM2 (Design Quality for New Development), DM11 (Historic and Built Environment) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy and Government advice in the National Planning Policy Framework.

- 8 No development shall commence on site until full details of the means for the disposal of foul water and surface water from the development have been submitted to, and agreed in writing by, the Local Planning Authority. Development shall be carried out in accordance with the agreed details prior to the occupation of any of the dwellings hereby permitted.

**Reason;** To ensure the satisfactory means of disposal of foul and surface water from the development and to comply with Policy DM14 (Flood Risk) of the Island Plan Core Strategy and Government guidance contained within the National Planning Policy Framework.

- 9 No development shall commence on site until the location of four Schwegler 1FR Bat Boxes has been submitted to, and agreed in writing by, the Local Planning Authority. The boxes shall be installed on the new buildings in the agreed locations, prior to the first occupation of the building on which the box is to be installed.

**Reason:** To mitigate impacts upon bats, protected under the Wildlife & Countryside Act 1981 as amended, and The Conservation (Natural Habitats &c) Regulations 1994.

- 10 No development shall take place until an Arboreal Method Statement has been submitted to and agreed in writing by the local planning authority detailing how the potential impact to the trees will be minimized during construction works and showing the positions of protective tree fencing as required by condition 11. The agreed method statement will then be adhered to through out the development of the site.

**Reason:** To ensure that the high amenity tree to be retained is adequately protected from damage to health and stability throughout the construction period in the interests of the amenity in compliance with Policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 11 No development including site clearance shall commence on the site until trees shown to be retained in this permission have been protected by fencing or other agreed barrier. Any fencing shall conform to the following specification:

Barrier shall consist of a scaffold framework as shown in figure 2 of BS 5837 (2005). Comprising of vertical and horizontal framework braced to resist impact, with vertical tubes spaced at a maximum of 3 m intervals. Onto this weld mesh panels are to be securely fixed. Such fencing or barrier shall be maintained throughout the course of the works on the site, during which period the following restrictions shall apply:

- (a) No placement or storage of material;
- (b) No placement or storage of fuels or chemicals.
- (c) No placement or storage of excavated soil.
- (d) No lighting of bonfires.
- (e) No physical damage to bark or branches.
- (f) No changes to natural ground drainage in the area.
- (g) No changes in ground levels.
- (h) No digging of trenches for services, drains or sewers.
- (i) Any trenches required in close proximity shall be hand dug ensuring all major roots are left undamaged.

**Reason:** To ensure that the high amenity trees to be retained is adequately protected from damage to health and stability throughout the construction period in the interests of the amenity in compliance with Policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 12 No development shall take place on site until details of the design, surfacing and construction of the new road, footways, accesses and car parking spaces, together with details of the means of disposal of surface water drainage there from have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details.

**Reason:** To ensure an adequate standard of highway access and drainage for the proposed dwellings and to comply with Policy DM17 (Sustainable Travel) of

the Island Plan Core Strategy.

- 13 No dwelling hereby approved shall be occupied until the parts of the service roads which provide access to it have been constructed, surfaced (upto the provision of the final wearing course) and drained in accordance with the details agreed under condition 12 to enable vehicular access to that property. Prior to the occupation of the final dwelling, the final wearing course for the road surface shall be laid in accordance with the agreed details.

**Reason:** To ensure an adequate standard of highway access and drainage for the proposed dwellings and to comply with Policy DM17 (Sustainable Travel) of the Island Plan Core Strategy.

- 14 No dwelling hereby permitted shall be occupied until space has been laid out within the site, and drained and surfaced in accordance with the details shown on drawing number 27015/75 such that the vehicle parking provision to serve that unit has been provided. Such parking spaces shall not thereafter be used for any purpose other than that approved in accordance with this condition.

**Reason:** To ensure an adequate standard of highway access and drainage for the proposed dwellings and to comply with Policy DM17 (Sustainable Travel) of the Island Plan Core Strategy.

- 15 No development shall take place until details of the junction between the proposed service road and the highway have been submitted to, and approved in writing by, the Local Planning Authority. No building shall be occupied until that junction has been constructed in accordance with the approved details.

**Reason:** To ensure an adequate standard of highway access and drainage for the proposed dwellings and to comply with Policy DM17 (Sustainable Travel) of the Island Plan Core Strategy.

- 16 Pedestrian access shall be maintained at all times between Public Footpath No 7 and the site, in accordance with the details shown on drawing No 27015/92A.

**Reason:** To ensure an adequate standard of highway access and drainage for the proposed dwellings and to comply with Policy DM17 (Sustainable Travel) of the Island Plan Core Strategy.

- 17 The use of “Rectory Mansions” building shall be limited to an antiques / craft centre in accordance with the details shown on drawing number 27015/62A.

**Reason;** The Local Planning Authority would wish to give further consideration to any alternative use of the building in the interests of the amenities of the area, those of the occupiers of the neighbouring properties and the vitality of the area and to comply with Policies DM2 (Design Quality for New Development) and DM10 (Rural Services Centres) of the Island Plan Core Strategy and Government advice contained within the National Planning Policy Framework.

- 18 The use of the former “Kynges” gift shop building shall only be used as a café (Use Class A3) in accordance with the details shown on drawing number 27015/64. The food prepared within the building shall be of a low odour / low grease category. Sales of food from the premises shall only take place between the hours of 07.00 – 17:00 inclusive.

**Reason;** The Local Planning Authority would wish to give further consideration to



any alternative use of the building in the interests of the amenities of the area, those of the occupiers of the neighbouring properties and the vitality of the area and to comply with Policies DM2 (Design Quality for New Development) and DM10 (Rural Services Centres) of the Island Plan Core Strategy and Government advice contained within the National Planning Policy Framework.

- 19 The developer shall afford access at all reasonable times to the staff of the County Archaeology and Historic Environment Service, and shall enable them to observe groundwork and to record items and features of archaeological significance.

Notification of commencement of groundworks and information as to whom the archaeologist should contact on site should be given in writing to the address below not less than 14 days before the commencement of any works:-

The Planning Archaeologist,  
Seaclose Offices,  
Fairlee Road,  
Newport, Isle of Wight.  
PO30 2QS.

**Reason;** To enable the Local Planning Authority to monitor the potential for archaeological remains on this site and to comply with Policy DM12 (Historic and Built Environment) of the Island Plan Core Strategy and Government guidance contained within National Planning Policy Framework.

- 20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any Order revoking and re-enacting that Order with or without modification), no development within Classes A and E of Part 1 of the Schedule to that Order shall be carried out [other than that expressly authorised by this permission] unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To protect the character and appearance of Brading Conservation Area and the setting of the neighbouring listed building and the amenity for future occupiers of the approved dwellings and that of the adjoining occupiers due to the limited size of the amenity areas proposed to serve these dwellings and to comply with Policies DM2 (Design Quality for New Development), DM11 (Historic and Built Environment) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy and Government advice in the National Planning Policy Framework.

- 21 No dwelling hereby approved shall be first occupied until the alteration / conversion works to the Rectory Mansions and Kynges buildings have been completed in accordance with the approved plans to allow their occupation by commercial users.

**Reason;** In order to protect the fabric of the listed building and the character of Brading Conservation Area and in the interests of the vitality and viability of Brading Rural Service Centre and to comply with Policies DM10 (Rural Service Centres and the Wider Rural Area) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy and Government advice in the National Planning Policy Framework.

- 22 No demolition works shall commence on site until a schedule of works for demolition of the existing building outlining how historic features, such as Georgian glazing will be removed and reclaimed, has been submitted to, and agreed in writing by, the Local Planning Authority. Development shall be carried out in

accordance with the agreed details.

**Reason:** In order to ensure that any elements of historic interest are preserved in accordance with Policy DM11 (Historic and Built Environment) of the Island Plan Core Strategy.

- 23 No development, with the exception of demolition works, shall take place on site until a schedule of how any damage to the Listed Building will be 'made good' has been submitted to, and agreed in writing by, the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

**Reason:** In order to ensure that any elements of historic interest are preserved in accordance with Policy DM11 (Historic and Built Environment) of the Island Plan Core Strategy.

- 24 No units / use hereby approved shall be occupied / commenced until the lay-by within Quay Lane has been extended in accordance with details which have been submitted to, and approved in writing by, the Local Planning Authority.

**Reason:** In the interests of highway safety and to comply with Policy DM17(Sustainable Travel) of the Island Plan Core Strategy.

02

**Reference Number: P/00080/11 - LBC/22055/P**  
**Parish/Name: Brading - Ward/Name: Brading, St Helens and Bembridge**  
**Registration Date: 25/01/2011 - Listed Building Consent**  
**Officer: Steve Wiltshire Tel: (01983) 823552**  
**Applicant: Aceport Property Ltd**

**LBC for demolition of single storey buildings to the side and rear of the site and the former cafe building fronting Quay Lane; change of use of former Brading Experience and shop to an antique and craft centre, shop and cafe with 3 flats retained on first floor; one block of 4 terraced houses and a detached house fronting Quay Lane; 4 detached houses off Quay Lane; associated parking; alterations to approved conversion of "World of Wheels" building to auction room with associated parking; alterations to vehicular access; provision of a playground (revised description) (revised scheme)(readvertised application)**

**The Brading Experience, 1 Quay Lane and, 46-51 High Street, Brading, Sandown, Isle of Wight.**

**The application is recommended for Conditional Permission**

See joint report under P/00079/11 - TCPL/22055/R

**Conditions/Reasons:**

- 1 The works hereby authorised shall be begun not later than 3 years from the date of this consent.

**Reason;** As required by S18 Planning (Listed Building and Conservation Areas) Act 1990.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans numbered; 27015/60, 27015/62A, 27015/63 and 27015/71.

**Reason:** For the avoidance of doubt, to comply with the requirements of the Planning (Listed Building and Conservation Areas) Act 1990 and to protect the character and appearance of the Listed building in accordance with Policy DM11 (Historic and Built Environment) of the Island Plan Core Strategy and Government advice in the National Planning Policy Framework.

03

**Reference Number: P/00154/11 - CAC/22055/S**  
**Parish/Name: Brading - Ward/Name: Brading, St Helens and Bembridge**  
**Registration Date: 04/02/2011 - Conservation Area Consent**  
**Officer: Steve Wiltshire Tel: (01983) 823552**  
**Applicant: Aceport Property Ltd**

**Conservation Area Consent for demolition of single storey buildings to the side and rear of the site and the former cafe building fronting Quay Lane; change of use of former Brading Experience and shop to an antique and craft centre, shop and cafe with 3 flats retained on first floor; one block of 4 terraced houses and a detached house fronting Quay Lane; 4 detached houses off Quay Lane; associated parking; alterations to approved conversion of "World of Wheels" building to auction room with associated parking; alterations to vehicular access; provision of a playground (revised description) (revised scheme)(readadvertised application)**

**The Brading Experience, 1 Quay Lane and, 46-51 High Street, Brading, Sandown, Isle of Wight.**

**The application is recommended for Conditional Permission**

See joint report under P/00079/11 - TCPL/22055/

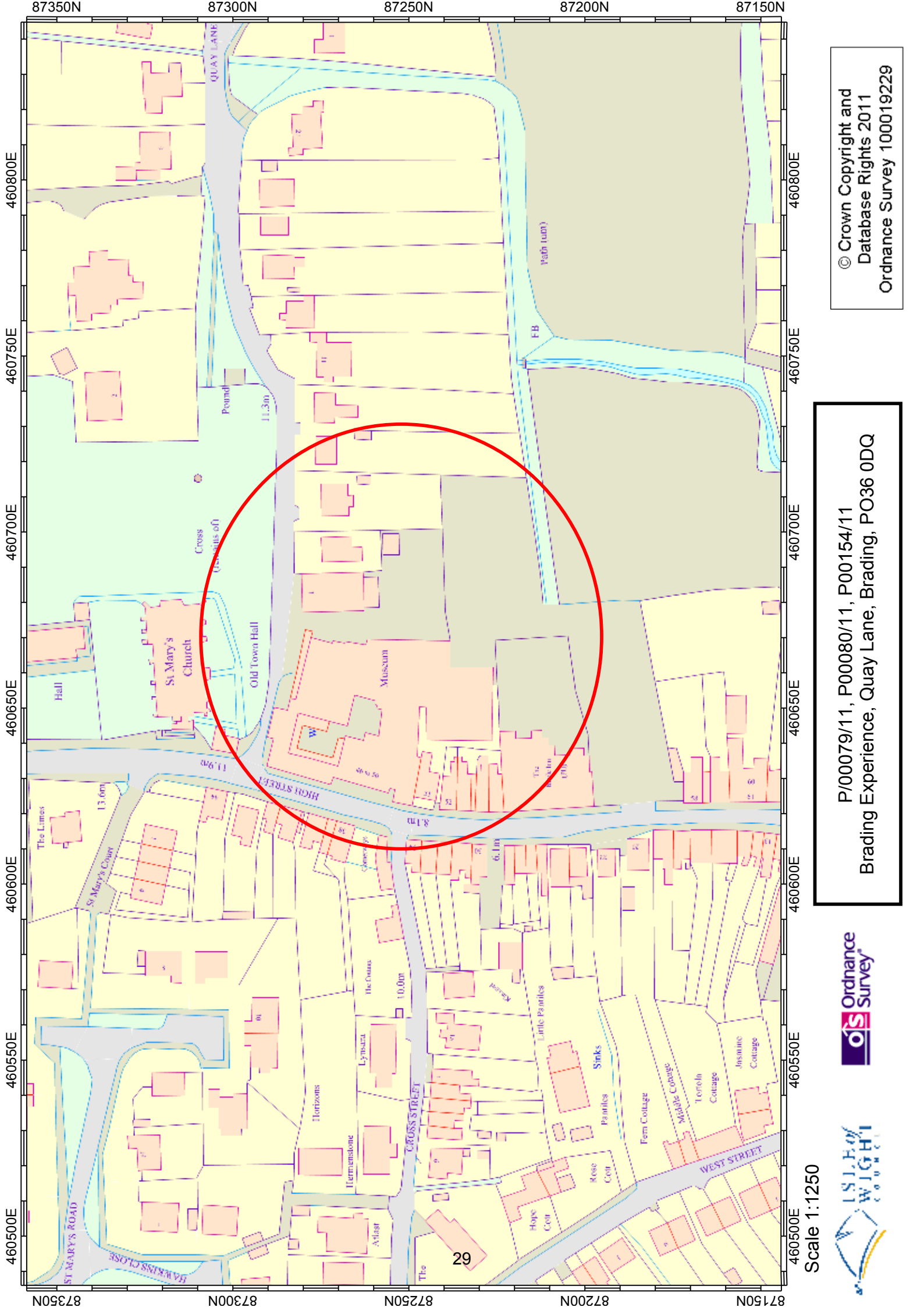
**Conditions/Reasons:**

- 1 The works hereby authorised shall be begun not later than 3 years from the date of this consent.

**Reason:** As required by s18 Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 The works of demolition hereby authorised shall not be commenced until a binding contract for the carrying out of the works of redevelopment of the site has been entered into and planning permission has been granted for the redevelopment for which the contract provides.

**Reason:** In order to protect the special character of the area and to prevent the site remaining vacant for a significant period of time and to comply with Policy DM11 (Historic and Built Environment) of the Island Plan Core Strategy and Government advice in the National Planning Policy Framework.



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P/00079/11, P00080/11, P00154/11  
Brading Experience, Quay Lane, Brading, PO36 0DQ



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04

**Reference Number: P/01173/11 - TCP/23877/H**  
**Parish/Name: Godshill - Ward/Name: Godshill and Wroxall**  
**Registration Date: 05/09/2011 - Outline Planning Permission**  
**Officer: Sarah Wilkinson Tel: (01983) 823552**  
**Applicant: Mr & Mrs Debrett**

**Demolition of tea-rooms and part of cottage; outline for replacement tea-rooms with flat over, detached house and two flats; alterations to cottage; parking; alterations to vehicular access (revised scheme)(revised plans)(readvertised application)**

**Willow Tree Tea Gardens, High Street, Godshill, Ventnor, Isle of Wight.**

**The application is recommended for Conditional Permission**

#### **REASON FOR COMMITTEE CONSIDERATION**

The application seeks consent to demolish a building within the Conservation Area and construct some new build properties within the centre of the village in a prominent position. The Local Member has raised concerns regarding the impact of this development and has therefore requested the application be determined by the Planning Committee.

#### **MAIN CONSIDERATIONS**

- Principle of the re-development of the site.
- Impact on the character and appearance of the Godshill Conservation Area and the setting of the surrounding Listed Buildings, by reason of the proposed layout, scale and design.
- Impact on neighbouring residential properties.
- Impact on trees.
- Highway considerations, and in particular whether the intensification of the proposed access would add unduly to the hazards of other highway users.

#### **1. Details of Application**

- 1.1 This forms a joint report for both the Planning and Conservation Area Consent applications for the demolition of the existing tea rooms at Willow Tree Tea Gardens and outline for the redevelopment of the site for a replacement tea rooms with flat over, and a detached building providing two flats to the front of the site and a detached house to the rear of the replacement tearooms, resulting in 4 additional units. There is currently a detached cottage in the rear south-western corner of the site which would be retained although modestly adapted through the demolition of a single storey extension.
- 1.2 The existing tearooms has an internal seating area of approximately 75 square metres with an outside covered seating area of approximately 45 square metres. The replacement tearooms would be smaller than this existing facility with an approximate internal seating area of 69 square metres and an area of the garden of approximately 238 square metres for outdoor seating.
- 1.3 The first floor of the tearooms would incorporate a two bedroom flat which would be accessed from a door to the rear of the tearoom and could therefore be occupied

separately. A separate external garden area would be available for the occupants of this flat to the east of the building.

- 1.4 The building accommodating the tearooms and the flat would be positioned forward of the existing facility but would still be 4.2 metres back from the road (to the main building line), allowing for the incorporation of a pavement at the front of the site. An amendment has been made to the application since its original submission moving this building slightly further from the neighbouring listed building. The distance between the two buildings would now be approximately 6 metres.
- 1.5 The proposed building providing two flats would be positioned between the garden to the tearooms and the access road to the site. The building would have the appearance of a detached house but internally would provide 2 two bedroom flats. Both flats would be accessed through an entrance porch positioned on the side of the building. This building would also be set at the front of the site approximately 3 metres from the roadside boundary, this distance again allowing for the provision of the footway/pavement. The design of this building and the proposed replacement tearooms takes cues from other units within the High Street, which employs the typical cottage architecture for which Godshill is renowned.
- 1.6 The proposed detached house would be positioned to the rear of the site, alongside the existing cottage. This would provide three bedrooms with first floor accommodation utilising the roofspace. Again, the design is a subtle variation of cottage architecture.
- 1.7 The proposed scheme includes alterations and improvements to the existing access and parking for 6 vehicles, one for each flat and the existing house and two for the proposed house.
- 1.8 As outlined above the proposed units would be positioned to allow for the addition of a pavement along the front of the site, with the removal of the existing hedgerow and its replacement further back into the site.
- 1.9 The proposed development also seeks alterations to the existing cottage on site to remove a single storey extension which provides a large lounge and the obscure glazing of two windows on the front elevation.

## **2. Location and Site Characteristics**

- 2.1 The site is located on the southern side of the High Street within the centre of the village. The existing tearoom adjoins the Model Village, opposite a small area of green space.
- 2.2 The existing tearooms is positioned within the centre of the site with a large garden to the front and rear. The area to the front is utilised for seating in conjunction with the tearooms, while the area to the rear appears to provide a large side and rear garden and parking area to the existing two bedroom cottage. The cottage is situated on the western boundary of the site to the rear of the tearooms.
- 2.3 The northern boundary of the site is delineated by a large hedgerow, which also forms the roadside boundary with the High Street. 'The Cottage', a listed building, sits on the eastern boundary of the site. The cul-de-sac Hollow Glade abuts the site to the south. The western boundary is shared with the Model Village.
- 2.4 The area is of mixed character, design and use with a range of residential properties, tourist attractions, public houses and retail premises. In the main buildings in the area have a cottage style and appearance and are constructed of

stone under slate or thatched roofs. There is also evidence of render and red brick for detailing and end elevations.

- 2.5 There are 11 listed buildings within the vicinity of the site which is located within the centre of the Godshill Conservation Area.

### **3. Relevant History**

- 3.1 P/01928/09 – TCP/23877/E: Demolition of tea-rooms and partial demolition of cottage; outline for replacement tea-rooms with two flats over, one detached house, pair of semi-detached houses, terrace of three houses; parking; fencing; alterations to vehicular access was refused July 2011 for the following reasons:

- Detrimental impact on the character of the Conservation Area and the AONB due to the design, density, layout, level of hardstanding and lack of space around the buildings for landscaping.
- Position of the proposed units, size, design and external appearance would be intrusive development, out of scale and character with the prevailing pattern of development in the locality as well as having a serious and adverse effect on the amenities enjoyed by occupants of neighbouring property.
- Insufficient details to assess the impact on trees.
- Insufficient details to assess the impact of any extraction system.
- Insufficient provision of amenity space detrimental to the amenities enjoyed by prospective occupiers of the proposed flats
- The access is unsatisfactory by reason of unacceptable visibility
- Generation of traffic onto the public highway

- 3.2 P/00029/10 – CAC/23877/F: Conservation Area Consent for the demolition of tea-rooms and partial demolition of cottage in connection with outline for replacement tea-rooms with two flats over, one detached house, pair of semi-detached houses, terrace of three houses; parking; fencing; alterations to vehicular access was refused July 2011 for the following reason:

- The proposal does not provide for a suitable replacement leaving a gap within the street scene.

### **4. Development Plan Policy**

National Planning Policy

- 4.1 National Planning Policy Framework (NPPF) constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration on determining applications. At the heart of the NPPF is a presumption in favour of sustainable development.

- 4.2 The NPPF sets out three roles (economic, social and environmental) that should be performed by the planning system. The Framework states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):

- making it easier for jobs to be created in cities, towns and villages
- moving from a net loss of bio-diversity to achieving net gains for nature
- replacing poor design with better design
- improving the conditions in which people live, work, travel and take leisure and



- widening the choice of high quality homes

#### Local Planning Policy

4.3 The Island Plan Core Strategy identifies the application site as being within the settlement boundary of Godshill, which is a Rural Service Centre. The following policies are relevant to this application

- SP1 - Spatial Strategy – Supports development on appropriate land within or immediately adjacent the defined settlement boundaries of the Key Regeneration Areas, Smaller Regeneration Areas and Rural Service Centres.
- SP2 - Housing – Sets out a distribution for the delivery of new housing on the Island, including the provision of 980 new dwellings within the Rural Service Centres and Wider Rural Area over the period 2011 – 2027.
- SP3 - Economy – Focuses economic growth in the Island's economy upon employment, retail and high quality tourism, which will expected to be primarily located in the Key and Smaller Regeneration Areas.
- SP5 - Environment – Offers support for proposals that protect, conserve and / or enhance the Island's natural and historic environments, and to protect the integrity of internal, national and local designations.
- SP7 - Travel - Offers support for proposals that increase travel opportunities and provide alternative means of travel to the car. Development proposals should not negatively impact on the Island's strategic road network, or the capacity of lower level roads to support the proposed development.
- DM2 - Design Quality for New Development – Gives support to proposals for high quality and inclusive design to protect, conserve and enhance the existing environment whilst allowing change to take place. The policy states that relevant information relating to the site size, location and context is required and that proposals will be expected to provide an attractive, functional and adaptable built environment, optimise the potential of the site taking into account constraints, be appropriately landscaped and compliment the surrounding area.
- DM3 - Balanced Mix of Housing - The Council will support development proposals that provide an appropriate mix of housing types and size, in all new development, in order to create inclusive and sustainable communities.
- DM8 - Economic Development – In principle gives support to growth in economic development.
- DM10 – Rural Service Centres and the Wider Rural Area – Supports proposals that contribute to the vitality and viability of the rural service centres. In particular the policy seeks to preserve retail uses within these areas.
- DM11 - Historic and Built Environment – Supports proposals that positively conserve and enhance the special character of the Island's historic and built environment.
- DM12 - Landscape, Seascape, Biodiversity and Geodiversity – Supports proposals that conserve, enhance, and promote the landscape, seascape, biodiversity and geological interest of the Island.

## **5. Consultee and Third Party Comments**

### Internal Consultees

- 5.1 The Council's Environmental Health Officer has recommended a condition in relation to low odour/low grease, should consent be granted.
- 5.2 The Council's Highway Engineer has recommended approval to the application. Detailed comments are summarised in the evaluation section of this report.

### External Consultees

- 5.3 English Heritage have provided two comments on the application. The first comment outlines that the design of the different elements of the scheme shows no more imagination than previously. However, in this particular case the need previously identified was to preserve the open space served by the existing tearoom, and this has finally been fairly well achieved. There is also, in this version, significantly less hard standing and parking. On balance, therefore, English Heritage confirms that it no longer oppose the proposal in this form. The later comment states that the application should be determined in accordance with national and local policy guidance, and on the basis of the Council's own specialist conservation advice.
- 5.4 Southern Water has outlined that a public sewer crosses the site. It is highlighted that it may be possible to divert the public sewer, so long as this would not result in the unacceptable loss of hydraulic capacity, and provided the work is carried out at the developer's expense. The applicant would also need to submit a formal application for a connection to the public sewer.
- 5.5 The Environment Agency has confirmed no objection to the application.
- 5.6 The Area of Outstanding Natural Beauty Partnership are pleased to note that a considerable gap has been incorporated between the two new properties at the front of the site. Of equal importance are the materials to be used in the finishes of the proposed buildings and the surrounding landscaping. These elements would need to be further refined through a planning condition so that details are submitted and approved prior to any commencement of the development. Provided that these provisions are in place to secure good quality, traditional vernacular materials within the AONB, no objection is raised to the application.

### Parish/Town Council Comments

- 5.7 Godshill Parish Council has objected to the application on the same grounds that it had objected to the previous application. These can be summarised as follows:
- The proposed development by nature of its size and appearance is totally out of character with the other buildings in the locality. Brand new buildings in full view of the road would be extremely detrimental to the character and ambience of this tourism area and to the local economy
  - The tea gardens form part of the conservation area and the proposal represents a significant overdevelopment in that area.
  - Traffic and pedestrian safety. The site and proposed access open directly onto a busy main road close to a sharp bend. Any increase in traffic activity would be hazardous to traffic and pedestrians. The Council would also make the observation that the traffic survey was conducted in September rather than July or August when volumes of traffic and pedestrians are generally in greater number
  - Approval of the application would create a very unwelcome precedent for

anyone owning land on the High Street to speculate at the expense of the village.

### Third Party Representations

- 5.8 A total of 59 letters of objection have been received in relation to both the Planning and Conservation Area Consent. A number of the letters contain both reference numbers or are repeated between the applications. These repeat letters have not been counted twice within this total. 7 of the 59 letters purely refer to the Conservation Area Consent application. The reasons for objection can be summarised as follows:

Highway concerns:

- Traffic generation/congestion
- Increased hazard to highway uses including pedestrian safety due to lack of pavement
- Traffic jam delay emergency vehicles
- Insufficient parking
- Access would cross pedestrian access to Model Village
- Traffic figures were taken in September not July and outside of school not the village centre.
- Inadequate access including poor visibility
- Traffic report is out of date

Impact on the character of the area

- Impact on views of the Church
- Proposed buildings are too close to the road
- Design
- No flats in the area so would be out of keeping
- Garden grabbing
- Godshill is in the English Heritage 'at risk' category
- AONB so no further buildings should take place
- Impact on trees
- Over-development
- Damage to heritage value of the village
- Unbalance the ambience of the village centre
- Demolition of the building
- Out of character/ Out of keeping
- Over dominant on next door
- Proximity to listed building
- Urbanising
- Does not preserve or enhance the Conservation Area or the AONB
- Intrusive development of a cramped appearance, by reason of design, position and size
- Existing buildings blend into the rest of the village the proposed does not
- Overlooking/loss of privacy to Paddock Close
- Tearooms would be too close to the road and overshadow The Taveners
- Flats would be too large, too close to the road and overwhelming
- Affects the open aspect

## Other matters

- Precedent
- Site of the old village pond therefore needs enhancing
- Potential increase in flood risk
- Loss of commercial space/ Change of use from commercial to residential
- Drainage
- Impact on tourism
- Condition of the building is due to a lack of maintenance
- Proposed units would be unaffordable for Island residents
- Housing need
- Financial viability should not be a planning issue
- Insufficient detail as outline/ Should not be outline
- Is the hedgerow to the front of the site to retain or will this be a footpath
- Units are very small
- Interruption of water course effecting fauna and flora downstream on a SSSI
- Scheme doesn't overcome previous reasons for refusal
- Contrary to emerging planning policy
- No job opportunities gained from the current plans
- Part of Hollow Glade has been incorporated into the site without a change of use
- Tea gardens has been subject to flooding in the past and extra building, roads and paving slabs would be less drainage area
- Reduction in outside seating
- Sewage running through the site may need replacing in the future
- Submitted documents do not reflect the National Planning Policy Framework

- 5.9 Island Watch have objected to the application stating that; while the current tearooms are of no particular architectural merit, they are relatively self effacing and set well back, giving an open aspect to the area. The new proposals would close in the frontage dramatically. The openness is an important feature of the Conservation Area and a significant contributor to attracting tourism on which Godshill so heavily depends.

## 6. **Evaluation**

### Principle of the redevelopment of the site

- 6.1 The proposed development seeks consent to demolish the existing dilapidated tea rooms building and to redevelop the site with 4 residential units, a replacement tearoom and alterations to the existing cottage. This re-development is sought in outline with access, appearance, layout and scale to be considered at this stage, while landscaping is reserved for later consideration.
- 6.2 The redevelopment of the site would result in a reduction in the size of the tearooms and associated gardens. Concerns have been raised by third parties that the reduction in the size of the tearooms would have an impact on tourism and would result in a loss of employment. Officers are satisfied that sufficient information has been submitted to justify that the existing building is in a poor state of repair and requires redevelopment in some form, otherwise the longevity of this site as a tourism destination could be compromised. Although it is accepted that the tearooms would be reduced in size compared to the existing business, there are a number of similar facilities in the area and therefore it is not considered that this alone would have a detrimental impact

on tourism.

- 6.3 Concerns have also been expressed by third parties that the loss of this building and part of its gardens would lead to a precedent for the loss of other such sites in the village, having a long term knock-on effect on tourism. Officers do not consider that there is any site of comparison and each application should be considered on its individual merits.
- 6.4 The site is located within the development boundary of Godshill and is, in part, previously developed land and therefore its redevelopment for housing complies with Policy SP1 (Spatial Strategy) and as such no specific needs assessment is required to be submitted. The element of the site which is considered to be non-previously developed currently forms garden to the existing cottage. This garden is large in relation to the scale of the cottage itself and Officers consider its loss for housing would not be out of keeping with the sporadic pattern of housing development in the area.
- 6.5 Comments have also been received that an outline application for the re-development of the site should not be accepted within a conservation area. However, the Council have to accept outline applications within designated areas providing sufficient information has been submitted to assess the potential impact of the development. As the only matter reserved in this instance is landscaping, which has been indicatively indicated on the plans, officers are satisfied sufficient information has been submitted to assess the application.
- 6.6 It is considered by Officers that, due to the condition of the existing building and the retention of a commercial use on site the principle of the redevelopment is acceptable.

Impact on the character of the Conservation Area and surrounding listed buildings.

- 6.7 Matters to be considered regarding the impact of the proposed development on the Conservation Area are:
- The loss of the existing building
  - The contribution the existing green space and landscaping makes to the character of the Conservation Area and AONB
  - The layout and positioning of the proposed buildings
  - Matters of detail surrounding the scale and design of the proposed units
- 6.8 The character of the conservation area can be defined as one of detached or linked cottage style buildings with a maximum of two storeys, most of the first floor being partially within the roof. The buildings in the locality are wide fronted properties with space around for soft landscaping.
- 6.9 The existing building on site is in a dilapidated condition. However, due to the gardens which surround it, its condition has a neutral impact on the character of the area. The key feature of the site to the importance of both the Conservation Area and the AONB is the green space provided by the gardens themselves. Therefore, the loss of the building from the Conservation Area is considered to be acceptable in principle, subject to the re-development scheme complying with policy.
- 6.10 The proposed scheme has been designed with just two buildings at the front of the site, these providing a replacement tearoom with flat over and a building of

two flats. An area of 14.6 metres would be retained between these buildings to be utilised as external seating for the tearooms. The existing large hedge at the front of the site would be removed, in order to facilitate a new footway but a condition has been recommended to seek the planting of a new hedgerow behind that footway to ensure the rural character of the site is retained.

- 6.11 The previous application for the redevelopment of this site attracted objections from English Heritage, due to the loss of open space, which was considered to be important to the character of the Conservation Area. This objection has not been expressed in relation to this scheme, with comments from English Heritage stating that the need to preserve the open space provided by the existing tearooms has been fairly well achieved through this revised scheme. On balance therefore English Heritage no longer opposes the proposed development.
- 6.12 Third party comments indicate that no further building should take place as the site is located within an AONB. However, the AONB designation does not preclude development if it would not have an impact upon the features of importance within the designated area. The AONB Partnership do not object to the application outlining that due to the location of the site within the settlement of Godshill, the sensitive redevelopment of the site would not harm the overall character of this part of the AONB. The comment concludes by confirming that provided that good quality, traditional vernacular materials are used the Partnership raises no objection.
- 6.13 The proposed buildings at the front of the site have been set further forward than the existing tearooms, however, the majority of buildings along the High Street either abut the road or pavement and therefore the positioning of the buildings further forward is considered to be in-keeping with the intimate nature of the village.
- 6.14 The typical cottage architecture in the village consists of a marriage of simple composition and well designed detailing. Most buildings have a good 'solid to void' ratio; that is to say the amount of glazing to solid/brickwork is carefully balanced and there is good vertical to horizontal rhythm, which is dependent on eaves, ridge and coursing being balanced against the alignment of windows, downpipes and quoins.
- 6.15 The units have been designed to appear as detached houses constructed of natural stone under slate roofs, with brick detailing. This design would replicate other units on the High Street and in particular the key components and characteristics described in the preceding paragraph. As such, it is considered that the proposal would at least preserve the character and appearance of the Conservation Area.
- 6.16 Concerns have been raised by third parties that the units are proposed too close to the road. Officers consider however, that this positioning is in character with the surrounding area where other properties along this stretch of the High Street either directly abut the road or pavement or are set back a very small distance with low walls to the front. The existing building is more an exception to this character.
- 6.17 The proposed detached house to the rear of the site has been positioned alongside the existing cottage to respect the general layout of development in this area, forming a line of buildings with 'The Homestead' to the east and the existing cottage to the west. The house is designed differently to the units at the front of the site as other buildings in the area change in character moving away from the main road. The unit design adopts similar materials to those

proposed for the front of the site, but would mainly accommodate the first floor rooms within the roof space. The use of dormer windows, although different from those in the existing cottage which are flat roofed, are in character with the general principles of design in the locality.

- 6.18 The proposed design and scale of the units together with the layout of the site, allowing for landscaping and green space around the buildings, is considered to be in context with the character of the area. A condition is recommended requiring that stone is used in the external surfaces of the buildings with brick quoins under slate roofs in order to embed the otherwise newly constructed buildings into their historic setting. The stone will need to be carefully selected in order for the development to integrate successfully with its surroundings, but officers are content that the precise type and finish of stone can be negotiated through condition discharge.
- 6.19 The development proposed three flats within the layout. Concerns have been expressed by third parties that flats would not be in character with the style of development within the area and would therefore be out of keeping. The units have been designed with the appearance of detached houses with one door visible from the road and car parking positioned behind the buildings and proposed landscaping screen. As a result the units themselves would not appear out of character. The provision of flatted accommodation within the area would assist with the aims of policy DM3 to provide a mix of housing types and sizes in order to create inclusive and sustainable communities and is therefore supported by officers.
- 6.20 A concern with regards to the previous application to re-developed this site by both officers and English Heritage related to the level of hard standing proposed for car parking. Due to the significant reduction in the number of units proposed together with the removal of a secondary access point, this concern has been overcome with the parking now being proposed within a small area in the centre of the site.
- 6.21 There are a number of listed buildings within the locality of the site, which form part of the setting of the conservation area, however The Cottage a Grade II listed building directly neighbours the site and therefore would potentially be the most impacted upon as a result of the redevelopment of this site. The revised scheme proposes a distance of between 5.8 and 6.3 metres between the replacement tearooms and The Cottage. This distance is such that the units would sit comfortably within the street scene while being sympathetic to the setting of the listed building and is therefore not considered to result in an unacceptable impact on 'The Cottage'.
- 6.22 In conclusion the layout and design of the proposed development is considered to be in context with the character of the area and would therefore result in an acceptable replacement for the existing building.

#### Impact on neighbouring properties

- 6.23 The site is located within the centre of the village and as such a number of properties neighbour the proposed development. 'The Cottage', which incorporates retail units on the ground floor abuts the eastern boundary, contains no windows, neither would the proposed unit, and therefore no direct impact from overlooking would be created. The proposed replacement tearooms, the building closest to this shared boundary, would stretch slightly further into the site but due to the distances between the buildings it is not considered that any over-dominance would be caused. Additionally, the rear 3

metres of the building would be single storey, therefore minimising any potential impact.

- 6.24 Moving round the boundary in a clockwise direction 'The Homestead' and properties within Hollow Glade border the site. The proposed detached house to the rear of the site would sit closest to these properties. The proposed side elevation of this house would measure between 1.6 and 6.4 metres from the boundary with The Homestead. It is proposed at an oblique angle and as such it is not considered by officers that any unacceptable overlooking or over-dominance would be created. The rear elevation of the proposed house would sit a minimum of 8 metres from the rear boundary of the site with Hollow Glade. The rear elevation of the closet property within Hollow Glade would be approximately 9 metres from the boundary. This total distance of approximately 17 metres is considered to be sufficient to ensure no unacceptable over-dominance is created and is reflective of other separation distances that are evident nearby. The first floor windows would serve bedrooms and a stairwell and therefore would result in similar mutual overlooking that currently is apparent in this area and typical of properties within a village/town centre location. This is not considered to result in unacceptable overlooking or loss of privacy.
- 6.25 Third parties have raised concerns that the proposed development would overlook and cause a loss of privacy to residents in Paddock Close, which sits beyond 'The Homestead', but Officers consider that the distance from the site and interception land of The Homestead is such that no unacceptable impact would be caused. The proposed buildings to the front of the site would be unlikely to have any impact on the residents of the properties outlined above due to their proximity and intercepting land and buildings.
- 6.26 The existing cottage is the next property moving around the boundary. The application incorporates alterations to this cottage, including the obscure glazing of secondary first floor windows to ensure no overlooking would be caused to the proposed detached house alongside this property, the removal of a single storey extension and the use of part of the cottage garden for parking and the proposed detached unit itself. The removal of the existing cottage extension would see a small 'two up, two down' cottage created. The remaining garden area for such a cottage is considered to be more appropriate for the scale of the unit to which it serves and therefore the loss of the garden would not have an unacceptable impact on residents of this property. The resultant cottage would provide a small unit in accordance with the aim of providing a mix of unit types on site.
- 6.27 The Model Village abuts the remaining side boundary. The proposed buildings themselves are not considered to have an impact upon this facility but concerns have been expressed with regards to the impact of the access to the operations and visitors of this attraction. This issue is discussed further within the highway considerations of this report.
- 6.28 Concerns have been raised by third parties that the units at the front of the site would overwhelm the road and overshadow The Taverners. The proposed units would sit between 3 metres and 4.2 metres from the road. This relationship is not uncommon within the area and is therefore not considered to result in an unacceptable or un-characteristic relationship between buildings.
- 6.29 Comments received from local resident's state that the proposed development would result in a loss of views of the Church. Loss of view from individual properties is not a planning consideration. The elevated position of the Church



and the position of the site is such that the proposed scheme would not interrupt important views of the Church and therefore would not be detrimental to its setting.

- 6.30 It has been highlighted within a third party letter that part of the site includes the former garden of 7 Hollow Glade and no change of use was applied for from residential to commercial tea garden. Such an application would not have been required as the land has since been used as garden for the existing cottage and would form garden to the resultant unit.
- 6.31 Officers are satisfied that the design of the units together with their layout would not result in an un-characteristic relationship between properties or have an unacceptable impact on amenities enjoyed by existing residents.

#### Impact on trees

- 6.32 In the garden situated on the roadside frontage of the site there are a great many trees, these being clipped and trimmed Conifer, all being trimmed to form topiary. Whilst these are trees it should be recognised that their public amenity is in the manner that they have been shaped. If left to grow out they would have very little amenity with the exception of contributing to the verdant character of the area. The majority of trees of any considerable amenity value are situated beyond the boundary to the south of the site. These are a mixture of various species the most striking of which is the Beech tree. Protection of these trees is important as they provide a more permanent amenity and verdant character compared to that of the trees on the roadside frontage.
- 6.33 There would be very little direct impact by this development with the exception of the removal of the trimmed Conifer and another Conifer T9 (a "C" grade tree of little amenity). The loss of trees/vegetation including ornamental planting would alter the general verdant character of the site and in doing so could be described as having an impact. However, with an appropriate landscaping plan, to be submitted at reserved matters stage, this impact could be adequately mitigated against and also would provide the opportunity to plant more native species.
- 6.34 The houses and soakaways have been positioned outside the Root Protection Areas (RPA) of the important trees around the boundaries of the site and as such no impact would arise. However there is a potential of impact from root compaction and spillage of contaminant materials in the R.P.A. To prevent this all the trees should be fenced around the R.P.A. A condition has been recommended accordingly.
- 6.35 In conclusion therefore the loss of trees on the site could be mitigated by landscaping.

#### Highway Considerations

- 6.36 The access is situated on the outside of a near 90 degree bend and is the existing access for the tearooms. The visibility to the North and East meets the required 43 metres; however no obstruction (higher than 1 metre from ground level) should be present in this visibility splay. This would be secured by the provision of the footway proposed as part of this development.
- 6.37 The proposed access would be 5 metres wide, which enables two vehicles to pass. The access road would narrow to 3 metres over a length of 16 metres; however there is sufficient forward visibility for vehicles to see anything

approaching.

- 6.38 As the A3020 is a main through route it is constantly trafficked by vehicles. In the tourism months of the year Godshill is highly populated with visitors who wander in and around the village. Due to the lack of footways in the area and narrow nature of this route, pedestrians walk in the live carriageway. This proposal seeks to address this issue by introducing a footway across the roadside frontage of the site. Although onward connectivity for pedestrians is still limited this facility would significantly improve the existing situation whereby users of the existing site have no alternative other than to walk in the carriageway. A condition has been recommendation for the provision for a pram ramp crossing facility to enable pedestrians to cross to the opposite footway. The crossing point would need to be provided on the western side of the vehicle access serving the Taverners. Users of the Model Village, Tea Rooms, proposed residential dwellings and the business to the north of the site would all benefit from this facility.
- 6.39 The application proposes 6 spaces in addition to a service turning area for the Tea Rooms. The existing parking on site is not available for customers of the current Tea Rooms. As there is a public car park within 150 metres of the proposals, which currently accommodates tourists visiting Godshill, the proposed parking provision is considered suitable to serve the residential element of the development.
- 6.40 The traffic generating potential of the residential aspect of this proposal would be in the order of 16 to 24 trips per day. There would also be an element of traffic generation associated with serving the tearooms, although this would currently use the existing access and is already present. As previously stated, the location in question is prone to pedestrians walking in groups in the carriageway whilst wandering through the village. It is acknowledged that the proposed development would result in an increase in traffic movements about the existing vehicle access however in light of the highway gain offered by the footway and widening / remodelling of the access along with the reduction in dwellings over that sought under P/01928/09 (46 – 64 trips per day). The application is considered by Officers to be acceptable on highway grounds.

#### Drainage/Flooding

- 6.41 A number of concerns have been raised by third parties with regards to the potential issue of flooding and the pressure the proposed development would have on the existing drainage system. The site sits outside of any flood risk area and is below a hectare in size therefore the application isn't required to include a flood risk assessment. The Environment Agency have however been consulted and raise no objection to the scheme. It is not considered that the application would result in an unacceptable impact to a flood zone or result in unacceptable flooding.
- 6.42 Southern Water has also been consulted and although highlighting the position of a mains drain within the site, the exact position of which would need to be determined and potentially diverted they raise no concern over system capacity or make any formal objection to the scheme. It would be necessary for the developer to make a formal application to Southern Water for connection to the public sewer.
- 6.43 As a result of the comments from statutory consultees on the matter of drainage and flooding officers do not consider it would be reasonable to raise concerns on these grounds.

## **7. Conclusion**

- 7.1 Having given due regard and appropriate weight to the material considerations referred to in this report it is considered that the proposed development would sit comfortably on the site while respecting the setting of the neighbouring listed building and the wider Conservation Area and AONB.

## **8. Recommendation**

- 8.1 Conditional Permission for Planning and Conservation Area Consent

## **9. Reasons for Approval**

- 9.1 In reaching the decision to grant planning permission account has been taken of the National Planning Policy Framework and policies contained within the Island Plan Core Strategy.

- 9.2 The principle reasons for granting planning permission are:

The Council is satisfied that the proposed development would enhance the character and appearance of the area with a development of a high quality design, which would be appropriate in its setting by virtue of the proposed layout, scale and design. The indicated materials would be reflective of those seen elsewhere within the Conservation Area. There would be no unacceptable adverse impact upon neighbouring property occupiers owing to careful layout of the proposed development. As a result, the proposed development would accord with the principles of Policy DM2 (Design Quality for New Development).

- 9.3 The proposed new footway would result in an improvement to pedestrian safety and together with access improvements would mitigate for the additional traffic generation associated with the development to ensure that there would be no unacceptable impact to the capacity of the network in accordance with Policy DM2 (Design Quality for New Development).

- 9.4 Having regard to the above and having taken into account all relevant material considerations, it is concluded that the proposal is in full conformity with the provisions of the development plan.

### **Conditions/Reasons:**

- 1 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this planning permission. The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

**Reason:** To comply with Section 92 of the Town and Country Planning Act 1990 (as amended) and to prevent the accumulation of unimplemented planning permissions.

- 2 Approval of the details of the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

**Reason:** In order to secure a satisfactory development and be in accordance with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy

- 3 No development shall take place until samples of materials to be used in the construction of the external surfaces of the development hereby permitted, which should include natural slate and natural stone, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

**Reason:** In the interests of the amenities of the area and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy

- 4 No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include a schedule of plants, noting species, plant sizes and proposed numbers/densities and an implementation programme, proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; lighting etc.

**Reason:** To ensure the appearance of the development is satisfactory and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy

- 5 No development shall take place until a scheme of landscape implementation and maintenance for a minimum period of 5 years and long term maintenance of any SUDS systems to be utilised on site has been submitted to and approved in writing by the Local Planning Authority. All hard and soft landscape works shall be carried out in accordance with the approved scheme. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

**Reason:** To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved design and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy

- 6 Development shall not begin until details of the junction between the proposed service road and the highway have been approved in writing by the Local Planning Authority; and the building shall not be occupied until that junction has been constructed in accordance with the approved details.

**Reason:** In the interests of highway safety and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy

- 7 No (building/dwelling) hereby permitted shall be occupied until space has been laid out within the site in accordance with drawing number 798/101a dated 28.06.11 for 6 cars to be parked and for service vehicles to be loaded and unloaded and for vehicles to turn so that they may enter and leave the site in forward gear. The space shall not thereafter be used for any purpose other than that approved in accordance with this condition.

**Reason:** In the interests of highway safety and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy

- 8 The development hereby approved shall not be occupied until an uncontrolled pedestrian tactile crossing has been installed and associated footway works have been undertaken in accordance with a scheme to be submitted to and agreed by the Local Planning Authority.

**Reason:** In the interests of highway safety and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy

- 9 Prior to commencement of the development hereby approved details in relation to the design surfacing and construction of a footway across the roadside frontage of the site, including for a pram ramp/tactile crossing along with a program of works for its implementation shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, and the footway shall be implemented prior to occupation of any part of the development or in accordance with the agreed program.

**Reason:** In the interests of highway safety and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy

- 10 No dwelling/unit shall be occupied until the parts of the service roads which provide access to it have been constructed, surfaced and drained in accordance with details to be submitted to and approved by the Local Planning Authority.

**Reason:** To ensure an adequate standard of highway and access for the proposed dwellings and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy

- 11 Prior to any works commencing on site, a traffic management plan shall be submitted to and approved by the Local Planning Authority. The traffic management plan shall indicate the proposed routing of all construction traffic accessing the development hereby approved, and the measures proposed to be implemented to reduce the overall impact of construction traffic movements associated with the development. The plan shall be strictly complied with, unless prior written consent has been granted by the Local Planning Authority.

**Reason:** In the interests of the amenities of the area and highway safety and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy

- 12 This permission shall authorise the use of the premises as a restaurant/tearooms of a low odour/low grease food category unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of the amenities of neighbouring properties and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy

- 13 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbered 798/101D, 798/106B, 798/107B, 798/10A, 798/102C, 798/103C, 798/104C and 798/105C

**Reason:** For the avoidance of doubt and to ensure the satisfactory

implementation of the development in accordance with the aims of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy

- 14 No development including site clearance shall commence on the site until all trees, not previously agreed with the Local Planning Authority for removal, shall have been protected by fencing or other agreed barrier. Any fencing shall conform to the following specification:

*Barrier shall consist of a scaffold framework as shown in figure 2 of BS 5837 (2005). Comprising of vertical and horizontal framework braced to resist impact, with vertical tubes spaced at a maximum of 3 m intervals. Onto this weldmesh panels are to be securely fixed. Such fencing or barrier shall be maintained throughout the course of the works on the site, during which period the following restrictions shall apply:*

- (a) No placement or storage of material;
- (b) No placement or storage of fuels or chemicals.
- (c) No placement or storage of excavated soil.
- (d) No lighting of bonfires.
- (e) No physical damage to bark or branches.
- (f) No changes to natural ground drainage in the area.
- (g) No changes in ground levels.
- (h) No digging of trenches for services, drains or sewers.
- (i) Any trenches required in close proximity shall be hand dug ensuring all major roots are left undamaged.

**Reason:** To ensure that all general trees and shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of the amenity and to ensure the wooded southern boundary is retained as an important landscape feature which provides a valuable wildlife corridor, all in compliance with Policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy

- 15 Notwithstanding the details shown on the approved plans, the development hereby permitted shall not commence until a typical specification for each of the new windows and doors (including their location, material, finish, sectional details, glazing, means of operation etc), rainwater goods, and balconies to be used in the development has been submitted to and approved in writing by the local planning authority. All working drawings should be of 1:20, 1:10, 1:5 or other appropriate scale. The development shall only be carried out and maintained in accordance with the approved details.

**Reason:** In the interests of the character of the conservation area and to accord with policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy

- 16 The use hereby permitted shall not be open to customers outside the following times:

0800 to 1800 Mondays to Saturdays  
0900 to 1600 Sundays and bank or Public Holidays

**Reason:** To protect the amenities of nearby residential properties and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy

**05**      **Reference Number: P/01174/11 - CAC/23877/G**  
**Parish/Name: Godshill - Ward/Name: Godshill and Wroxall**  
**Registration Date: 05/09/2011 - Conservation Area Consent**  
**Officer: Sarah Wilkinson Tel: (01983) 823552**  
**Applicant: Mr & Mrs Debrett**

**Conservation Area Consent for demolition of tea-rooms and part of cottage in connection with outline for replacement tea-rooms with flat over, detached house and two flats; alterations to cottage; parking; alterations to vehicular access (revised scheme)**

**Willow Tree Tea Gardens, High Street, Godshill, Ventnor, Isle of Wight.**

**The application is recommended for Conditional Permission**

See joint report under P/01173/11 - TCP/23877/H

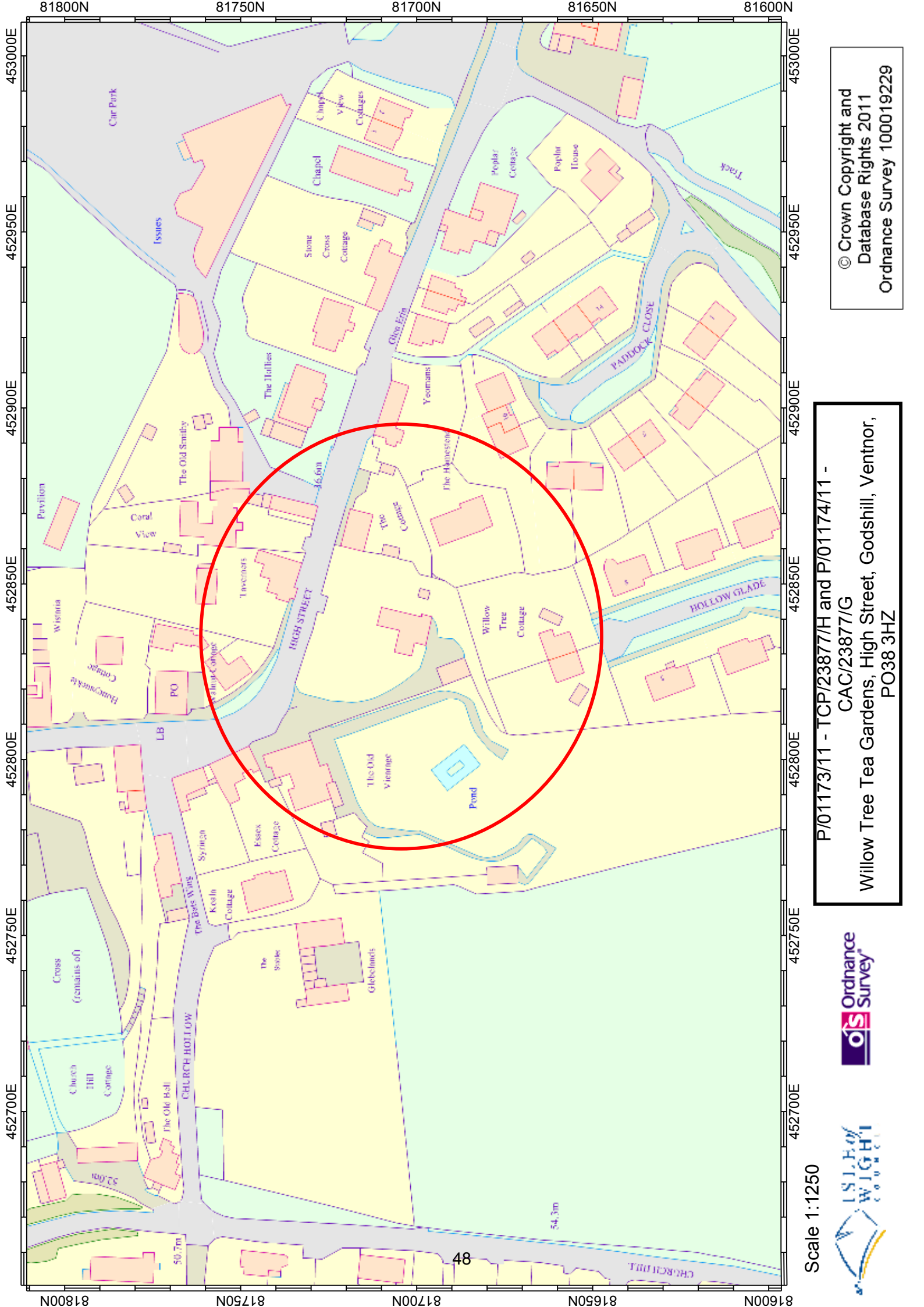
**Conditions/Reasons:**

- 1      The works hereby authorised shall be begun not later than 3 years from the date of this consent.

**Reason:** As required by s18 Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

- 2      The works of demolition hereby authorised shall not be commenced until a binding contract for the carrying out of the works of redevelopment of the site has been entered into and planning permission has been granted for the redevelopment for which the contract provides.

**Reason:** In order to protect the special character of the area and to prevent the site remaining vacant for a significant period of time and to comply with policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy.



P/01173/11 - TCP/23877/H and P/01174/11 -  
CAC/23877/G  
Willow Tree Tea Gardens, High Street, Godshill, Ventnor,  
PO38 3HZ



**06**      **Reference Number: P/00283/12 - TCP/30931**  
**Parish/Name: Nettlestone and Seaview - Ward/Name: Nettlestone and Seaview**  
**Registration Date: 02/03/2012 - Full Planning Permission**  
**Officer: Martin Mew Tel:**  
**Applicant: Mr Burr-Hersey**

**Demolition of bungalow; two detached dwellings with vehicular accesses and parking (revised plans showing revised vehicular access/visibility splays and turning area)**

**The Copse, Eddington Road, Seaview, Isle of Wight.**

**The application is recommended for Refusal**

#### **REASON FOR COMMITTEE CONSIDERATION**

This application has been called-in by the Local Member as the proposal enjoys strong local support and the support of Nettlestone and Seaview Parish Council.

#### **MAIN CONSIDERATIONS**

- Principle of development in this location
- Design, layout and impact on character of the area
- Impact on neighbouring properties
- Highways issues
- Impact on trees

#### **1. Details of Application**

- 1.1 The application seeks consent for the demolition of the existing bungalow and the construction of two detached dwellings, one utilising the existing access and the formation of an additional access to serve the other dwelling.
- 1.2 The proposed dwelling shown at Plot 1 is shown on the submitted street scene to be positioned 3.2m from the side of 'The Gables'. The design is shown from the front to have an eaves height of 4.1m and a ridge height of 7.4m. The property features a two storey gable fronted projection, with a width of 6.3m. This dwelling is shown with a width of 10.2m and a depth of 15.5m (of which 13m is at two-storeys).
- 1.3 The proposed dwelling shown at Plot 2 is shown to be positioned 2.4m from the side of Plot 1 and 3.4m from the neighbouring property at 'Willows'. Although this property features a bay feature over the ground floor window, the design approach is effectively a mirror of Plot 1 on the frontage, with an eaves height of 3.9m and a ridge height of 7.1m. This property also features a two storey gable fronted projection, with the ridge of the gable element set above that of the rest of the house. This dwelling is shown with a width of 10.2m and a depth of 16.3m (of which 13m is at two-storeys).
- 1.4 Revised plans were received during the application period showing revised vehicular access/visibility splays and turning area.

## **2. Location and Site Characteristics**

- 2.1 The application site is located to the south side of Eddington Road, close to the Junction of Eddington Road and Caws Avenue.
- 2.2 The existing bungalow is set at a lower level to the road and behind a brick wall with fencing above along the frontage of the site, with the exception of the timber gates across the existing access. The land levels drop from south east to north west across the width of the site and also from the front to the back.
- 2.3 The site is located between a two storey dwelling to the south east and a chalet bungalow to the north west.

## **3. Relevant History**

- 3.1. None

## **4. Development Plan Policy**

### National Planning Policy Framework

- 4.1 The NPPF states that sustainable development is a core issue for the planning system and quotes The World Commission on Environment and Development: Our Common Future (often referred to as the Brundtland Report), which defines sustainable development as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 4.2 The NPPF sets out three roles (economic, social and environmental) that should be performed by the planning system. The Framework states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):
- replacing poor design with better design
  - improving the conditions in which people live, work, travel and take leisure and
  - widening the choice of high quality homes
- 4.3 In particular, paragraph 54 states that in rural areas local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs. Furthermore, paragraph 55 goes on to states that "to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities".

### Local Planning Policy

- The Island Plan Core Strategy was formally adopted by the Isle of Wight Council in March 2012. The following policies are considered to be relevant to the proposal;
- 4.5 SP1: Spatial Strategy - Defines the appropriate locations for new development to take place on the Island. Defines three Key Regeneration Areas (Newport, Ryde and the Bay), two Smaller Regeneration Areas (Freshwater and Ventnor) and eleven Rural Service Centres (Arreton, Bembridge, Brading, Brighstone, Godshell, Niton, Rookley, St Helens, Wootton, Wroxall and Yarmouth). Areas outside of, or not immediately adjacent to, the identified regeneration areas and service centres are considered to be the Wider Rural Area where unless local need is identified, new development will not be supported.
- 4.6 SP1 sets out that in all cases the priority will be for the redevelopment of previously

developed land, where such land is available, suitable and viable for the development proposed.

- 4.7 SP2: Housing - Sets out the planned number of houses to be completed on the Island between 2011 and 2027 and defines the split between Key Regeneration Areas, Smaller Regeneration Areas, Rural Service Centres and the Wider Rural Area.
- 4.8 DM2: Design Quality for New Development - Advises that the Council will support proposals for high quality and inclusive design to protect, conserve and enhance our existing environment whilst allowing change to take place, in addition proposals will be expected to compliment the character of the surrounding area and be appropriately landscaped.
- 4.9 DM12: Landscape, Seascape, Biodiversity and Geodiversity – Supports proposals that conserve, enhance, and promote the landscape, seascape, biodiversity and geological interest of the Island.
- 4.10 DM17: Sustainable Travel: states that development proposals should provide for and improve accessibility to more sustainable modes of transport, comply with the Council's parking guidelines and demonstrate that they are well-related to the Island's Strategic Road Network and that the network has adequate capacity to accommodate the development.

## **5. Consultee and Third Party Comments**

### **Internal Consultees**

- 5.1 Environmental Health Officer has commented recommending that conditions be placed on any approval in respect of noise and smoke during construction.
- 5.2 Tree Officer – has commented that although the application was not accompanied by a tree report, it was evident from a site visit that there could be a loss of trees which would result in the loss of the groups' collective amenity when seen from the road. In the event of granting approval, a pine and the purple plum tree should be retained subject to the use of specialist materials such as a cellular confinement system and non-dig technique of installation were used.
- 5.3 Highways Engineer - has commented that he considers two parking spaces per dwelling is a sensible level of parking in this location. He considers that the revised plans are acceptable.

### **5.4 External Consultees**

Southern Water - commented that should the application be approved they would request a condition requiring details of the proposed means of foul and surface water sewerage disposal to be submitted for approval.

### **5.5 Parish/Town Council Comments**

Nettlestone and Seaview Parish Council - support the application, commenting that it is an acceptable and well designed proposal within a large plot with adequate vehicular access and parking. They consider that the proposal would provide good access, and may also allow local residents the opportunity to remain in the Parish.

### **5.6 Third Party Representations**

Four third party comments (including from both of the immediately adjoining

neighbours) have been received supporting the application, the reasons cited can be summarised as follows:

- The proposed houses are attractive and appropriate in this location;
- Would enhance the street scene and would bring a better balance of family properties to the immediate location.
- The application has considered the neighbouring wishes.
- It would be good for the village to have additional family houses.
- It would be located close to local amenities.

## **6. Evaluation**

### **6.1 Principle of Development**

The NPPF supports the development of new housing in the context of sustainable development and states that in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. While Seaview is not a defined settlement, it nevertheless is a large rural conurbation that includes a substantial number of houses. The village centre of Seaview comprises a mix of shops, pubs, hotels and a Church. Therefore Seaview is considered to be one of the more sustainable villages within the wider area, providing a significant number of homes and services to serve them. Furthermore the application site is located a short drive from the Rural Service Centre of St. Helens.

- 6.2 The Core Strategy reflects the guidance contained within the NPPF and states that new development should take place within defined settlement boundaries. This is a sustainable location
- 6.3 Officers note that the application site is located outside of the defined regeneration areas and Rural Service Centres. Nevertheless, the existing footprint of the building is previously developed land, and the footprint of the proposed dwellings would be over part of the footprint of the existing property, although would extend into the existing garden area. The site is within a developed location that is characterised by residential development. Policy SP2 (Housing) identifies a need for 980 new houses within the Rural Service Centres and the Wider Rural Area.
- 6.4 Whilst the application does not identify a specific local need, officers acknowledge that for the reasons given above, the broad principle of residential development in this location is likely to be acceptable subject to specific information regarding need. Accordingly officers would not raise a reason for refusal based on the absence of this justification within this application.

### **Design, layout and impact on character of the area**

- 6.5 The application proposes the demolition of the existing bungalow and the construction of two detached dwellings, one utilising the existing access and the formation of an additional access to serve the other dwelling.
- 6.6 The existing bungalow features two bedrooms and is located between a two storey dwelling to the south east and a chalet bungalow to the north west. The application bungalow is set at a lower level to the road and behind a brick wall with fencing above along the frontage of the site, with the exception of the timber gates across the existing access. The land levels drop from south east to north west across the width of the site and also from the front to the back. The footprint of the bungalow is approximately 11m x 8.5m, and with a projecting element of approximately 2.5m x 4m. The existing dwelling is shown to be set behind the projection of the main walls of the

neighbouring properties by approximately 0.2m, has a side to side separation of 6.6m from 'The Gables' and 9.6m from 'Willows'.

- 6.7 Plot 1 is shown on the submitted street scene to be positioned 3.2m from the side of 'The Gables'. The design is shown from the front to have an eaves height of 4.1m and a ridge height of 7.4m. The property features a two storey gable fronted projection at the frontage, with a width of 6.3m. This dwelling is shown with a width of 10.2m and a depth of 15.5m (of which 13m is at two-storeys).
- 6.8 Plot 2 is shown to be positioned 3.4m from the side of Plot 1 and 3.4m from the neighbouring property at 'Willows'. Although this property features a bay feature over the ground floor window, the design approach is effectively a mirror of Plot 1 on the frontage, with an eaves height of 3.9m and a ridge height of 7.1m. This property also features a two storey gable fronted projection at the frontage, with the ridge of the gable element set above that of the rest of the house. This dwelling is shown with a width of 10.2m and a depth of 16.3m (of which 13m is at two-storeys).
- 6.9 The footprint of Plot 1 is shown to project forward of the existing dwelling by 1.6m and Plot 2 by 1.8m, which is further forward than either of the adjoining neighbours or the terrace to the south east.
- 6.10 The area is characterised by a mix of residential properties. There are views of the existing bungalow roof slope from public vantage points, and as such the proposed dwellings, particularly as they are coming forward of the position of the existing dwelling, would be visible within the street scene. Within the wider area there is a step down in overall heights of buildings in accordance with the topography of the land. The proposal seeks to achieve a transition in height from 'The Gables' to 'Willows'. Notwithstanding this, given the width of the proposed dwellings, the set down in height results in the buildings having a 'squat' appearance and in respect of plot 2, an uncomfortable spatial relationship with the 'Willows' which would not maintain or enhance the quality and character of the built environment.
- 6.11 Although the revised access and parking area would create an extended area of hardstanding to the front of the proposed properties, officers do not consider that this would be out of character with the surrounding residential area. However, this could result in a landscape impact in terms of a potential loss of trees, which is evaluated specifically later in this report.
- 6.12 Whilst the neighbouring property at 'The Gables' is built in close proximity to the neighbouring property at Ellerslie Cottages, there is some spacing maintained given the separation to the existing bungalow on the application site. Furthermore, within the wider area, there is spacing maintained between properties, which is assisted by the variations in height. Officers consider that the size and scale of the proposed dwellings, particularly with reference to the limited separation between the two gable projections of the proposed dwellings and the relationship with the existing neighbouring dwellings would appear cramped. This relationship with the neighbouring properties is indicative that the proposal would be an overdevelopment of the site and appear cramped in the wider street scene. In addition, the depth of the dwellings, in particular the projection to the rear at two storey, is out of character with what is a fairly uniform two storey rear building line along the neighbouring properties to the south east and a further indication that the layout constitutes overdevelopment of the site.
- 6.13 Impact on neighbours

The neighbouring property at 'The Gables' is set at a higher level than the application site. There are no side facing windows at ground floor in the neighbouring property,

and the window at first floor level serves a hallway and is obscure glazed. There is a conservatory at the neighbouring property along the boundary which features obscure glazed side facing windows. Whilst the land level drops to the rear of the site, and accordingly the conservatory and decking proposed would be elevated from the natural ground level, there is a degree of mutual overlooking within the wider area. Given the depth of the proposed adjacent dwelling, and that it could be conditioned that the side facing windows of the conservatory could be made obscure glazed, it is considered that the proposed dwelling at Plot 1 would not significantly adversely impact on the amenities enjoyed by the occupiers of 'The Gables'.

- 6.14 Whilst there would be some conflict between the side facing windows of both of the neighbouring properties, at ground floor level it is considered this could be mitigated against through appropriate boundary treatment, and at first floor the windows are serving bathrooms and could be conditioned to be obscure glazed and top hung.
- 6.15 With regards to the impact on 'Willows', this property is at a lower level to the application site and features three side facing windows. From front to back these are as follows: a secondary kitchen window, an obscure glazed bathroom window, and a secondary window to a lounge, which is also served by french doors. The separation distance from Plot 2 to the side facing windows of the neighbouring property at 'Willows' is shown on the street scene to be approximately 3.4m. At the closest point to the neighbouring property at ground floor the proposal shows a secondary lounge window in the side elevation, and at first floor there is shown to be a side facing dormer window which is shown to serve a hallway and could be conditioned to be obscure glazed. Given the window is a secondary lounge window it is considered that the potential overlooking impact could be adequately addressed through boundary treatment.
- 6.16 Officers raise concerns regarding the flank elevation which would have a depth of approximately 7.8m and an eaves height varying between 4m and 4.3m in close proximity to the neighbouring boundary. This would appear overbearing to the detriment of the amenity of occupiers of the 'Willows'.
- 6.17 The levels information accompanying the application show a difference in height of approximately 0.5m from the decked area to the natural ground level at this point. Notwithstanding the height difference, on balance it is considered that there would not be a significant detrimental impact from overlooking from the proposed decking, given that the main amenity area to the rear of 'Willows' is an area of decking infilling a gap to the rear of the property and side of the lounge and accordingly this area is substantially screened by the existing building. Therefore on its own would not warrant a reason for refusal. However officers would suggest that the close proximity of the area of raised decking to the neighbouring boundary further demonstrates that this proposal is an overdevelopment of the site.

6.18 Highways issues

The Highways Officer has been consulted and has commented that two parking spaces per dwelling as proposed would be acceptable in this location. This section of Eddington Road is governed by a 30mph speed limit, but is classified as the B3330, as such any new vehicle access must have minimum visibility splays of 2m x 70m.

- 6.19 The revised access arrangements which show the driveway and parking area transposed are considered to provide acceptable visibility in both directions, and the Highways Engineer is satisfied that the proposal is acceptable.

6.20 Impact on trees

No tree report has been submitted with the application, however as there are trees on site the Tree Officer has been consulted.

- 6.21 The trees to the rear of the site are of a sufficient distance away from the proposed works that they would not be directly impacted upon by this development. The trees that would be impacted on are situated to the front of the property on the South Eastern boundary. The Tree Officer has commented that they are as follows: a Corsican pine "B" grade, a birch "B-C" grade, and a purple plum "C" grade. There are also amongst these trees a cherry, a copper beech and an elm, all of which are too young to be counted in a survey. The trees as a group have a higher collective grade than many of their individual parts (when assessed using the Bs5837 assessment system). This is with the exception of the pine tree that also has a high individual grade. As a group they could be seen to have a "B2" grade. The public amenity of the trees could also be seen to be more significant due to their visibility from the road. Of the group the pine is the only one that would also have amenity as a single standing tree.
- 6.22 With regards to the impact of the proposal, in the absence of a tree report, the Tree Officer has determined what trees are most likely to be removed to facilitate the parking area and turning area, and those which could be retained. If the development were to go ahead, of the trees mentioned only the pine and the purple plum could be retained. This would only be possible if specialist materials such as a cellular confinement system and non dig technique of installation were used. Furthermore, the loss of the other trees would cause the loss of the collective amenity of the group. Officers would therefore wish to control replanting to the front of the property to mitigate this loss. The Tree Officer has commented that this would have to be of at least four sizeable trees. It may also be possible to lift the copper beech and transplant it to a different location, and if this was intended this would have to occur prior to any development taking place.
- 6.23 Officers consider it essential to cover these matters by conditions should the proposal be considered acceptable, in order to mitigate the potential landscape impact and to protect the verdant character of the area. This would be through conditioning replanting to the front of the properties, requiring a method statement of how the retained trees would be protected, and details of the construction of the parking areas.

## **7. Conclusion**

- 7.1 Officers consider that the proposal represents an over-development of the site by reason of its layout, height, width, design and external appearance which would result in an intrusive form of development, out of scale and context with the prevailing pattern of development in the locality and have a serious and adverse effect on the visual amenities of the surrounding area and would be contrary to policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.
- 7.2 It is also considered that the because of the position of the proposal close to the boundary, that it would be an intrusive overbearing addition and have a serious and adverse effect on the amenities of the neighbouring property, and would also be contrary to policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.
- 7.3 It is considered that the potential impact on trees, on balance, can be adequately controlled through the use of conditions if the development were to be considered acceptable, and would therefore comply with Policy DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.
- 7.4 Taking the above into consideration the proposal is considered to be contrary to policy

and is therefore recommended for refusal. The third party and parish council comments of support have been fully taken into consideration, however it is not considered to hold sufficient weight to outweigh a recommendation for refusal.

**8. Recommendation**

Refusal

**Conditions/Reasons:**

- 1        The proposal represents an over-development of the site by reason of its layout, height, width, design and external appearance which would result in an intrusive form of development, out of scale and context with the prevailing pattern of development in the locality and have a serious and adverse effect on the visual amenities of the surrounding area and would be contrary to policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.
  
- 2        The proposal, because of its position close to the boundary, would be an intrusive overbearing addition and have a serious and adverse effect on the amenities of the neighbouring property, Willows, and would also be contrary to policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.





**07 Reference Number: P/01536/11 - TCP/28681/C**  
**Parish/Name: Lake - Ward/Name: Lake North**  
**Registration Date: 24/11/2011 - Full Planning Permission**  
**Officer: Stuart Van-Cuylenburg Tel: (01983) 823552**  
**Applicant: White Properties Ltd**

**Demolition of veterinary surgery; proposed shop with two flats over; parking (revised plans relating to site area (red line), parking layout and design and external appearance of the building) (readvertised application)**

**18d, Sandown Road, Lake, Isle of Wight.**

**The application is recommended for Refusal**

#### **REASON FOR COMMITTEE CONSIDERATION**

The Applicant is a Local Ward Member. The Council's Constitution therefore requires that the application is considered by the Planning Committee.

#### **MAIN CONSIDERATIONS**

The main considerations relevant to the determination of this application are as follows:

- Whether the development would comply with national and local planning policy with respect to the location of new housing and retail development?
- Impact on the character and appearance of the area.
- Whether the proposed development would provide adequate living conditions for occupants of the proposed flats?
- Whether the proposed retail unit would be of a good standard of design?
- Impact on the use and enjoyment of neighbouring properties.
- Whether the development would comply with the Council's parking guidelines?
- Impact on highway safety.

#### **1. Details of Application**

- 1.1. The proposal seeks full planning permission for the demolition of the existing vacant veterinary surgery building, the construction of a two-storey end-of-terrace building at the northern end of the terrace and a first floor extension at the rear of No.18.
- 1.2 The proposed end-of-terrace building and first floor extension would enable the provision of a new shop unit at ground floor level and two residential units that would occupy the ground and first floors.
- 1.3 The area to the rear of the terrace would be landscaped to provide a parking and turning area accessed from Sandown Road and to provide space for the storage of refuse and cycles.
- 1.4 The proposal would also see the existing parking area and access onto Sandown Road at the front of this terrace closed and landscaped to pedestrianise this area and prevent this area being used for off-road parking in the future.

## **2. Location and Site Characteristics**

- 2.1 The application relates to an existing two-storey terrace building of traditional design and appearance and a single storey detached brick building located on the eastern side of Sandown Road. The terrace contains flats and commercial units and the single storey building was previously used as a veterinary surgery.
- 2.2 Sandown Road is a busy thoroughfare and forms part of the Island's Strategic Road Network. It has a mixed commercial/residential character serving as a local service centre, with buildings of mixed traditional design and appearance and some more modern infill development.
- 2.3 The application site is surrounded by residential properties and two existing shop units (18 and 18c). The ground rises to the east (rear) where at present two semi-detached houses are currently being constructed.
- 2.4 The site boundary also extends along the front of most of this terrace, taking in an existing hard surfaced area adjacent the back edge of the public footway, which is currently used for off-road parking accessed directly from Sandown Road.

## **3. Relevant History**

- 3.1. P/01068/10 – TCP/28681/B: Alterations and change of use from retail/commercial to residential: planning permission granted subject to conditions 7 December 2010.
- 3.2 P/02505/08 – TCP/28681/A: Demolition of buildings; construction of 2 storey building to provide replacement veterinary surgery; pair of semi-detached houses; parking; vehicular and pedestrian access; landscaping; outbuilding to form bin/fridge storage area: planning permission granted subject to conditions 24 July 2009.
- 3.3 P/02398/07 – TCP/28681: Demolition of buildings; 2 storey block of 2 retail units with 4 flats over to include accommodation within roofspace; proposed terrace of 3 houses: planning permission refused 10 December 2007.

## **4. Development Plan Policy**

### National Planning Policy Framework

- 4.1. The NPPF sets out the Government's planning policies for England. It explains that the purpose of planning is to help achieve sustainable development and states that there is a presumption in favour of sustainable development and that significant weight should be placed on the need to support economic growth.
- 4.2 Paragraph 17 sets out 12 core planning principles which include:
  - seeking to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
  - taking account of the different roles and character of different areas, promoting the vitality of urban areas;
  - encouraging the effective use of land by reusing land that has been previously developed;
  - promoting mixed use developments.
- 4.3 Section 7 of the NPPF explains the importance of good design to sustainable development and states that whilst decisions should not attempt to impose architectural styles or particular tastes or stifle innovation, originality or initiative

(paragraph 60), they should aim to ensure that developments:

- will function well and add to the overall quality of the area;
- establish a strong sense of place;
- optimise the potential of the site to accommodate development and support local facilities and transport networks;
- respond to local character and reinforce or promote local distinctiveness;
- create safe and accessible environments;
- are visually attractive.

- 4.4 The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions (paragraph 64).

#### Local Planning Policy

- 4.5 Island Plan Core Strategy

The following policies are relevant to the determination of this application:

- SP1: states that the Council will support development on appropriate land within or immediately adjacent the defined settlement boundaries of the Key Regeneration Areas and will prioritise the redevelopment of previously developed land where such land is available, suitable and viable for the development proposed.
- SP2: explains that the Council will permit development for new housing in accordance with the provisions and policies of the Island Plan.
- SP3: expects economic growth on the Island over the plan period to be focussed upon employment, retail and tourism, with a target of creating around 7,550 jobs and that economic development will primarily be located in the Key and Smaller Regeneration Areas.
- SP5: states that the Council will support proposals that protect, conserve and/or enhance the Island's natural and historic environments and that development that would have a demonstrable adverse impact on the Island's natural, historic and built environments should be avoided.
- DM1: explains that proposals should demonstrate how they would provide for the storage of refuse and recyclable materials.
- DM2: expects development proposals to be of a high quality of design, to protect, conserve or enhance the environment and to have regard to existing constraints.
- DM8: explains that the Council will in principle support growth in economic development.
- DM9: expects proposals for new retail development to be located within existing town centres and explains that proposals for new retail development outside of the identified town centre boundaries will be assessed on a sequential and impact basis.
- DM17: states that development proposals should provide for and improve accessibility to more sustainable modes of transport, comply with the

Council's parking guidelines and demonstrate that they are well-related to the Island's Strategic Road Network and that the network has adequate capacity to accommodate the development.

## **5. Consultee and Third Party Comments**

### **Internal Consultees**

- 5.1 Environmental Health has raised no objections to the proposed development but has recommended that conditions are imposed to control the opening hours of, and timings of deliveries to the proposed shop, the installation of any ventilation or extraction equipment on the exterior of the proposed shop and that the development is constructed to such a standard that occupants of adjacent residential properties are protected from excessive noise levels from the proposed development.

- 5.2 The Council's Highways Officer has advised the following:

The application site is considered to be located in a very accessible location due to its proximity to Lake Train Station, St Urian's public car park, regular bus services to Newport, Ryde, Shanklin and Ventnor, existing shops and services along Sandown Road and existing community facilities which include the Health Centre, Sandown Bay Academy and Broadlea Primary School.

The proposed vehicular access and parking arrangement would conform to design standards and would provide enough space to enable vehicles to exit proposed parking bays with ease and for two vehicles to pass along the access. In addition, visibility about the access would not be a significant issue as it would remain the same as for the access granted planning permission in 2009.

Although the 2009 permission required collapsible bollards to be installed to control the use of the rear parking area, this requirement has been reviewed in the context of the current application. The condition previously imposed by the Council which sought to limit access to this rear parking area would in practice not have resulted in an enforceable and practicable solution to reducing the use of this access and the rear parking area. Furthermore, having regard to the level of traffic likely to be generated by the proposed flats and shop in comparison to the previously approved veterinary surgery and the Applicant's proposal to allocate parking spaces to specific users, it is considered that such an impracticable and unenforceable solution would be unnecessary and unworkable and should not be repeated in this case. Furthermore, given each of the proposed parking spaces would be allocated to specific users, it is likely that the use of the car park would be enforced by those users.

The pedestrianisation of the area in front of 18, 18b and 18d, which would see the removal of the existing off-road nose-in parking to the front of these properties, would also offer a significant highway safety gain and conditions should be used to ensure that the existing vehicle access would be closed and this area pedestrianised as shown on the submitted plans.

Given this assessment of the site's accessibility, the proposed access and parking arrangement and having regard to the highway gain that would arise from removal of the existing nose-in parking bays, no objections are raised but conditions are suggested to ensure the safe movement of vehicles and that the existing access and parking bays directly off Sandown Road would be stopped up and removed.

## Parish/Town Council Comments

- 5.3 Lake Parish Council supports the application.

## Third Party Representations

- 5.4 6 local residents have raised the following concerns:

- No need for additional retail units in Lake.
- Inadequacy of access.
- Impact on safety and free flow of Sandown Road.
- Impact on the use and enjoyment of neighbouring properties, in particular as a result of increased traffic generation and overlooking from proposed flats.
- Previously imposed planning conditions may become “obscured”.
- Entrance to proposed flats off access may be dangerous and would be directly into kitchen/dining areas.
- Rear amenity area to flat (18b) granted permission in 2010 may be lost to accommodate proposed parking spaces.
- No amenity space for proposed flats.
- Toilet for proposed shop would not be ventilated.
- Area to front of existing terrace would continue to be used for parking.
- No parking provision for customers of proposed shop.

## **6. Evaluation**

### **Whether the development would comply with planning policy with respect to the location of new housing and retail development?**

- 6.1 The application site is located within the defined settlement boundary for Sandown and the Bay Key Regeneration Area. It is also within a very accessible and sustainable location being on Sandown Road, which is part of the Island's Strategic Road Network, and in close proximity to public transport services (both bus and rail) and existing community facilities and services many of which can be found on Sandown Road. Therefore, it is considered that the proposed development would be in accordance with policies SP1 and SP2 of the CS to locate development within existing settlements. Furthermore, the re-development of this previously-developed site would be in accordance with national and local planning policy in terms of prioritising development of previously-developed land where appropriate and making efficient use of land.
- 6.2 National planning policy set out in the NPPF and local planning policy set out in policy DM9 of the CS seeks to ensure that retail development would be located within appropriate locations to ensure that the retail function, viability and vitality of existing centres would be maintained and/or enhanced by proposals for new retail development.
- 6.3 As stated above, Lake is an existing local service centre within the Bay Key Regeneration Area and Sandown Road in particular contains a variety of commercial premises. In addition, the proposal would result in the loss of an existing vacant commercial unit (vets) but would provide one small shop (A1) unit. Given this and the accessible and sustainable location of the site, it is considered that the proposed development would be in accordance with national and local planning policy set out in the NPPF and policies SP1 and DM9 of the Island Plan Core Strategy in terms of locating retail development within existing centres and sustainable and accessible locations.

### **Impact on the character and appearance of the area**

- 6.4 Sandown Road is characterised by buildings of mixed traditional design and appearance located close together which in combination with the mixed commercial/residential nature of buildings and the use of the road as a main thoroughfare gives the area a tight-knit, hard urban and high street character.
- 6.5 The proposed end-of-terrace building would be a continuation of the existing terrace following the design, form and appearance of the existing building and would be in keeping with its scale and character. The introduction of a first floor oriel window on the northern side of the building would be a quirky and uncharacteristic feature but because of its position and size, it is considered that it would not detract from the appearance of the existing terrace.
- 6.6 The first floor rear extension over the existing flat roof single-storey extension to the rear of No. 18 would be irregular in its form and appearance, but it would be in keeping with the scale and overall traditional appearance of the existing terrace and given its rear location it would not harm the appearance of the terrace or the street scene.
- 6.7 When viewed from Sandown Road it is considered that the proposed development would maintain and continue the appearance of the existing terrace and the proposed access would ensure that space remains between the enlarged terrace and 16a to the north. The proposed development would therefore not appear cramped or the site overdeveloped when viewed from the main road and would reflect the built-up, tight-knit character of Sandown Road. The development would also reflect the mixed residential and commercial character of Sandown Road and the proposed shop at ground floor level would contribute to an active frontage and the vitality and vibrancy of this local service centre.
- 6.8 For the above reasons, it is considered that that the proposed development would maintain and enhance the character and appearance of the existing terrace building and street scene and would make a positive contribution to the appearance, vitality and vibrancy of the area.

### **Whether the proposed development would provide adequate living conditions for occupants of the proposed flats?**

- 6.9 The entrances to the proposed flats would be straight into kitchen/dining areas, which have been revised in their size and layout in an attempt to address officers concerns that these areas would be too small for the intended use. The kitchen/dining areas would not only be small, but the usable space within these rooms would be further reduced due to the proposed internal staircases to access the upper floors of the building and there would also be poor outlook and daylight to these spaces due to the size of the glazing of the proposed ground floor window/door arrangement to serve these rooms and the proximity of the side wall of No. 16a.
- 6.10 The bedrooms and living rooms for the proposed flats would be on the upper floor of the building. The living room for flat 1 would have a poor outlook toward the side wall of No. 16a and because of the proximity of this side wall and the window to this room being on the north side of the proposed building it is also considered that this room would not benefit from adequate daylight. The Applicant has attempted to address these concerns by the introduction of a first floor oriel bay window, but this window would still be in the same position and the same distance from No. 16a.

- 6.11 For the above reasons, it is considered that the proposed design of the flats would result in a poor living environment for future occupants, in particular as a result of poor outlook from and daylight to the proposed living accommodation.

**Whether the proposed retail unit would be of a good standard of design?**

- 6.12 The proposed shop would occupy the front half of the proposed building and would be about 20 square metres in terms of shop floor space.
- 6.13 Revised plans have been received from the Applicant which shows a single-storey flat roof addition to the front of the building. This revision to the design and size of the building was made to maintain floorspace for the proposed shop and to compensate for space lost due to the increased size of the ground floors of the proposed flats.
- 6.14 Despite its small size, in terms of its floorspace, the proposed shop would be larger than the existing former veterinary surgery building and would only be slightly smaller than the adjacent shop (No. 18). In addition, it would provide sufficient amenities for staff given the services available in the area and the proximity of public transport and St Urians public car park. Therefore, it is considered that the proposed shop would comply with the aims of the NPPF and policy DM2 of the CS in that it would be of a good design standard.

**Impact on the use and enjoyment of neighbouring properties**

- 6.15 No. 16a to the north is a two-storey residential building with a long side wall facing the application site and would form the northern boundary of the proposed access to the rear of the site from Sandown Road. There are two obscure-glazed windows, one at ground floor and one at first floor level, which face the application site. These windows do not serve habitable rooms. There would be almost 5 metres between this neighbouring building and the proposed end-of-terrace building. Having regard to the above and the extant 2009 planning permission, it is considered that the current proposal would not have an adverse impact on this neighbouring building in terms of loss of light and outlook and any impact on this neighbouring property from the proposed development would not be any greater than the impact from the construction of the permitted veterinary surgery building.
- 6.16 The proposed development would have a number of first floor windows (including an oriel window) at first floor level within the side wall facing No. 16a. The oriel window would be part obscure-glazed with clear glass facing down the access towards Sandown Road. The other two windows would be secondary windows to a living room and landing and could be conditioned to be obscure-glazed to ensure that the perception of overlooking toward No. 16a from these windows would not be harmful to the use and enjoyment of this neighbouring building.
- 6.17 The proposed rear windows would also give rise to additional surveillance of the rear garden of No.16. Given that the proposed development would be situated at a lower ground level to this garden, that this garden is already overlooked by a number of windows from adjacent residential properties, that there is a balcony at the rear of No. 16a that overlooks the application site and this garden, and the distance of these windows from this garden, it is considered that the proposed development would not increase the intervisibility between the application site and this neighbouring property to an unacceptable level and consequently the use and enjoyment of this rear garden by occupants of this neighbouring property would not be adversely affected.
- 6.18 The proposed development would see two additional first floor windows at the rear of the development that would face toward the pair of semi-detached dwellings



currently under construction. These windows would serve a living room and bedroom for the proposed flats. There would be just over 14 metres between the rear wall of the proposed development and the front wall of these dwellings and because of the change in ground level these windows would look toward the ground floor windows of these dwellings. Because of the distance between these dwellings and the proposed development and having regard to the permitted veterinary building it is considered that the current proposal would not detract from the privacy of future occupants of these newly constructed dwellings. In addition, the current proposal would not have a greater impact on the outlook from and daylight to these dwellings than the permitted veterinary building and consequently it is considered that there would not be an adverse impact on the future living conditions for occupants of these dwellings.

- 6.19 18b contains a flat at ground level that is accessed from the rear. The entrance to this flat is situated between single-storey flat roof rear additions to Nos. 18 and 18c, though the addition to the rear of No. 18 provides the bedroom to this flat. At present the entrance to this flat is into its lounge/kitchen which has restricted outlook because of the obscure-glazed glass within its rear window and entrance door and this space is fairly dark because of its position at a lower ground level and limited sources of daylight. Above the entrance to 18b is a first floor rear window that serves a bedroom to 18a. The proposed first floor extension would affect the outlook and light to 18b and the bedroom window of 18a to some degree. In addition, it is considered that because of the position, size and design of the proposed first floor extension, it would increase the sense of enclosure for occupants of 18a and 18b and would result in additional overshadowing of the existing rear windows and entrance serving these flats. The additional overshadowing and sense of enclosure that would be caused by the proposed first floor extension would detract from the use and enjoyment of these neighbouring properties and would harm the living conditions for occupants of these flats (18a and 18b).
- 6.20 Concerns have been raised by local residents that the proposed development would result in the loss of the rear amenity/patio area for 18b. However, the submitted plans clearly show that this area would be retained and unaffected by the proposed development.
- 6.21 For the above reasons, it is considered that the proposed development would detract from the reasonable use and enjoyment of the existing flats, Nos. 18a and 18b.

**Whether the development would comply with the Council's parking guidelines**

- 6.22 The proposal as revised would provide four parking spaces one each for the proposed flats, one for the proposed shop and one for the existing shop (No. 18). Given the accessible and sustainable nature of the locality, it is considered that this parking provision would be in accordance with the Council's parking guidelines.
- 6.23 Concerns have been raised by local residents that parking would not be provided for customers of the proposed shop. However, there is a public car park (St Urian's), bus stop and railway station within easy walking distance. Therefore, it is considered that on-site customer parking would be unnecessary and the lack of such a provision would not be a sustainable reason to refuse planning permission for the development.

## **Impact on highway safety**

- 6.24 The proposed access to serve the development would be similar to that previously permitted in 2009. The Highways Officer has advised that visibility about the access would not be a significant issue as it would be the same as the access already permitted in 2009.
- 6.25 A revised site layout plan has been received to address inaccuracies of the originally submitted plan, which showed the rear part of the site larger than it actually is. As a result the position of the proposed parking bays has changed, with one of the parking spaces being relocated to an area of the site adjacent the boundary with No. 16 where the refuse storage for the newly constructed dwellings would have been located and the other three spaces would be adjacent the boundary of the site with No. 18c. The revised site plan also shows that an area would be provided for refuse and cycle storage to serve the proposed development and the newly constructed dwellings.
- 6.26 Having reviewed the revised site layout plan, the Highways Officer has advised that there would be sufficient space for vehicles to park, enter and exit the site and for two vehicles to pass within the proposed vehicular access, which would ensure that vehicles wanting to enter the site from Sandown Road would be less likely to have to stand in the highway whilst vehicles exit the site.
- 6.27 The number of parking spaces proposed (4) would be the same as already permitted to serve the veterinary building. These spaces were not conditioned to be for staff or customers and consequently could have been used by either. It is the view of officers that the likely level of traffic that would have been generated by the proposed flats and shop would be far less than that generated by the proposed veterinary surgery. Also, because the spaces would be allocated to specific users, it is very likely that the use of this rear area would be self-enforced by these users, which would help to prevent misuse of the parking and turning area.
- 6.28 Officers have given consideration as to whether or not it would be reasonable, desirable, practicable and enforceable to insist that collapsible bollards should be installed to control use of the rear parking area as required by a condition of the 2009 permission. However, it is considered that these bollards could be installed and then left in the collapsed position, which would still mean that any vehicle could access this area at all times of the day. Consequently, it is considered that this would not be a practicable or enforceable solution. In addition, given that the proposed development would most likely result in fewer vehicle trips per day and that the parking area would to some degree be self-managed by its allocated users, it is considered that the installation of these bollards would not be necessary and to repeat this previous condition would not meet the tests for imposing conditions on planning permissions as set out in Circular 11/95.
- 6.29 The proposal would also see the closure of the existing vehicle access and parking area across most of the frontage of the existing terrace, excluding the area in front of 18c. This would offer a significant improvement in terms of highway safety, replacing a wide indeterminate access and nose-in parking with a pedestrianised area and a smaller and defined access point where vehicles would be able to enter and exit the site and public highway in forward gear. This would significantly improve safety for highways users.
- 6.30 Having regard to the above it is considered that proposed development would on balance not have an adverse impact on the safety of highways users and the free flow of traffic along Sandown Road.

## **Other issues raised**

- 6.31 Concerns have been raised by local residents with respect to the design of the proposed flats and shop unit.
- 6.32 With respect to the proposed shop unit the internal layout has been redesigned so that the toilet would now be ventilated. The Council's Environmental Health Officer has not raised any objections regarding this revised layout.
- 6.33 With respect to the flats, though the entrance to these residential units would be from the proposed parking area and vehicular access, it is considered that there would be adequate visibility about the access and sufficient space for vehicles to enter and exit the site in forward gear. In addition, vehicles using this access would be travelling at low speeds. Therefore, it is considered that the proposed development has been designed to ensure that there would not be inherent conflicts between the movement of vehicles and those seeking to access the proposed flats.

## **7. Conclusion**

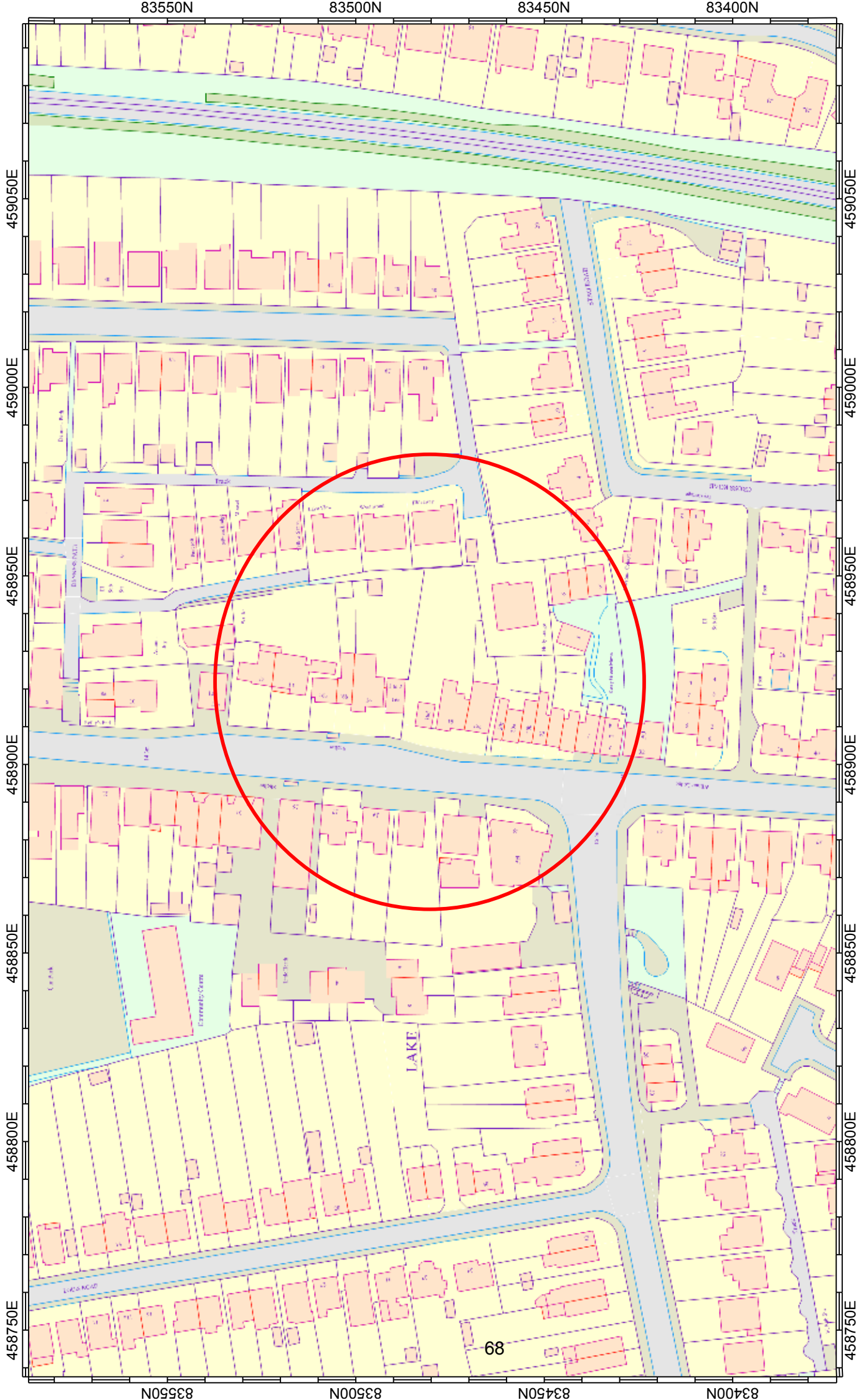
- 7.1 Having had regard to, and attached appropriate weight to the provisions of the Development Plan and all relevant material considerations, for the reasons given above, it is concluded that the proposed development would result in poor living conditions for occupants of the proposed flats and would detract from the use and enjoyment of neighbouring properties due to the harm that would be caused to the living conditions of occupants of Nos. 18a and 18b as a result of an increased sense of enclosure and loss of daylight that would arise from the proposed first floor extension. For these reasons, it is considered that the proposed development would be contrary to national planning policy set out in the NPPF and policies SP5 and DM2 of the Island Plan Core Strategy.

## **8. Recommendation**

- 8.1 For the reasons explained within the report and set out below, it is recommended that planning permission should be refused.

## **Conditions/Reasons:**

- 1 The proposal by reason of the design and layout of the proposed living accommodation would result in poor living conditions for occupants of the proposed flats contrary to national planning policy set out in the National Planning Policy Framework and policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.
- 2 The proposal by reason of its position, size and design would give rise to an increased sense of enclosure and additional overshadowing of neighbouring properties, in particular existing flats 18a and 18b Sandown Road, and as a result would have a serious adverse affect on the living conditions of occupants of these properties contrary to national planning policy set out in the National Planning Policy Framework and policies SP5 (Environment) and DM2 (Design Quality for New Development) of the Island plan Core Strategy.



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P/01536/11 - TCP/28681/C  
18d Sandown Road, Lake, PO36 9JP



Scale 1:1250

**08 Reference Number: P/00091/12 - TCP/30638/B**  
**Parish/Name: Nettlestone and Seaview - Ward/Name: Nettlestone and Seaview**  
**Registration Date: 18/01/2012 - Full Planning Permission**  
**Officer: Russell Chick Tel: (01983) 823552**  
**Applicant: The Portsmouth Roman Catholic Diocesan Trustees**

**Demolition of church; construction of detached dwelling; detached garage/boat store with pergola; vehicular access and parking (revised scheme)**

**Catholic Church, Seafield Road, Seaview, Isle of Wight.**

**The application is recommended for Conditional Permission**

#### **REASON FOR COMMITTEE CONSIDERATION**

The proposal has led to a high number of responses raising issues regarding the loss of the current Roman Catholic Church and impacts of design, and as such has been referred for decision by the Planning Committee.

#### **MAIN CONSIDERATIONS**

- Whether the proposed development complies with the principle of planning policy
- Whether the design and appearance of the development would be acceptable in relation to the pattern and character of development in the surrounding area and adjacent conservation area
- Impact on the amenities of neighbouring property occupiers
- The proposed layout of the site
- Highway implications

#### **1. Details of Application**

- 1.1 Full planning permission is sought to demolish the existing Roman Catholic Church and to replace it with a detached house, which would front onto Seafield Road. The submitted plans show that a parking area would be provided at the front of the site, accessed from Seafield Road. A further narrow access would be provided to the rear via Rope Walk to serve a detached boat store. The house would include a rear garden and smaller front garden.
- 1.2 The proposed house would be set back from Seafield Road by 5.5m. This gap would include a parking area and garden with a central access path to the front entrance. On either side of the property would be access paths that would measure 0.9m wide, providing access to the rear garden, which would measure 9m wide and 10.5 deep with the detached garage beyond. The proposed detached boat store would measure 5.8m wide, 6.5m deep and 3m high. The store would be clad with timber, include grey framed windows and a flat roof.
- 1.3 The proposed house would measure 7.2m wide, 10m deep, 5.3m high to eaves level and 8.5m high to the ridge of the roof. The front elevation would include a small porch that would measure 2.7m wide, 1.2m deep and 3.7 high. The porch would include a gabled roof supported by timber posts.

- 1.4 The design and access statement confirms that the elevations for the proposed house would be finished with white painted render on the ground floor, with the upper floors to be clad with cedar boarding. Windows would be grey framed aluminium casements while the roof would be finished with artificial slate. The roof would be gabled, with the ridge running from front to back, however, the front gable would be hipped.
- 1.5 The proposed house would include a kitchen/ lounge dining room, utility room and entrance hall at ground floor level, four bedrooms and a bathroom at first floor level and a master bedroom and en-suite bathroom within the roof space.
- 1.6 The application is supported by full plans and a design and access statement that includes a planning statement and supporting information.

## **2. Location and Site Characteristics**

- 2.1 The application site is located within an attractive area of Seaview, close to the village centre. Seafield Road is a residential street that includes a range of property types. The western side of Seafield Road is dominated by an Edwardian era terrace of two storey cottages that are built in the Arts and Crafts style and include features such as bay windows, timber balconies, pebbledash render, gables and clay tiled roofs. The eastern side of the road, within which the application site sits, comprises more variety and houses are not of such character. Houses on this side of the road date from the inter war period and include features such as projecting gabled bays, deep side elevations, large windows, hipped tiled roofs and front gardens. To the north is a more modern flatted development. The area is generally divided into long narrow plots with the pattern of development becoming denser towards the village centre (east).
- 2.2 The application site is occupied by a Roman Catholic Church that dates from the mid 20<sup>th</sup> Century. The building has a simple utilitarian appearance, more akin to a Chapel than a Church. The building is a simple rectangular shape with a gabled roof. Elevations are finished with red brick and the roof with slate. The front elevation comprises the main entrance, which is formed by a set of timber double doors with a simple flat roofed canopy above. Above the main entrance is a large arched window that rises to the gable of the roof, with a crucifix attached.
- 2.3 The Church is set with a regular shaped plot, with the main hall set back from the highway with a small front garden enclosed by a low brick wall. There is a small garden to the rear that comprises a stone wall that aligns Rope Walk. The site does not comprise a vehicle access.
- 2.4 Either side of the site are two storey dwellings. To the north is a detached post war dwelling known as Bryn Mawr. This dwelling includes a large side elevation window at first floor level, a first floor balcony to the rear and a conservatory. To the south is a pair of semi-detached dwellings that are more modern. The dwelling that adjoins the application site, Pond Cottage, includes secondary side elevation windows at ground, first and attic level.

## **3. Relevant History**

- 3.1 P/00936/11 - Demolition of church; construction of detached dwelling; detached garage/boat store with pergola; vehicular access and parking – Withdrawn 19 August 2011.

#### **4. Development Plan Policy**

##### National Planning Policy

##### National Planning Policy Framework (NPPF)

- 4.1 The NPPF states that sustainable development is a core issue for the planning system and quotes The World Commission on Environment and Development: Our Common Future (often referred to as the Brundtland Report), which defined sustainable development as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 4.2 The NPPF sets out three roles (economic, social and environmental) that should be performed by the planning system. The Framework states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):
- making it easier for jobs to be created in cities, towns and villages
  - moving from a net loss of bio-diversity to achieving net gains for nature
  - replacing poor design with better design
  - improving the conditions in which people live, work, travel and take leisure; and
  - widening the choice of high quality homes

##### Local Planning Policy

##### Island Plan Core Strategy

- 4.3 The Core Strategy identifies the application site as being outside of a defined settlement boundary. The application site is located adjacent to the conservation area.
- 4.4 The Island Plan Core Strategy was adopted in March 2012. The following policies are relevant to this application:
- SP1 – Spatial Strategy: defines the appropriate locations for new development to take place on the Island. Defines three Key Regeneration Areas (Newport, Ryde and the Bay), two Smaller Regeneration Areas (Freshwater and Ventnor) and eleven Rural Service Centres (Arreton, Bembridge, Brading, Brighstone, Godshell, Niton, Rookley, St Helens, Wootton, Wroxall and Yarmouth) within which new development will be expected to take place. Areas outside of these locations are defined as the wider rural area where unless local need is identified, new development will not be supported.
  - SP2 – Housing: sets the planned number of houses to be completed on the Island between 2011 and 2027 and defines the split between Key Regeneration Areas, Smaller Regeneration Areas, Rural Service Centres and the Wider Rural Area.
  - SP7 – Travel: states that development should not negatively impact on the Island's strategic road network or on the capacity of lower level roads to support the proposed development. If negative impacts are identified, appropriate mitigation will be expected.

- DM1 – Sustainable Build Criteria for New Development: states that development on the Island should include measures to reduce carbon dioxide emissions from energy use.
- DM2 – Design Quality for New Development: states that the Council will support proposals for high quality and inclusive design to protect, conserve and enhance the existing environment while allowing change to take place. The policy states that relevant information relating to the sites size, location and context will be required in order for the Council to determine planning applications quickly and properly. States that proposals will be expected to provide an attractive, functional and adaptable built environment, optimise the potential of the site taking into account constraints, be appropriately landscaped, compliment the surrounding area and minimise the consumption of natural resources.
- DM7 – Social and Community Infrastructure: States that the Council will support proposals that improve cultural, educational, leisure and community facilities. Reasons that development proposals will be expected to consider the requirements of all people in the community and create opportunities to provide multi use facilities for greater community benefit.
- DM11 – Historic and Built Environment: states that the Council will support proposals that positively conserve and enhance the special character of the Island's historic environment.

## **5. Consultee and Third Party Comments**

### **External Consultees**

5.1 None received.

### **Internal Consultees**

5.2 The Council's Highway Officer states the following:

### **Access**

Stated that Vehicular visibility splays of 2m x 43m would be required for the both the Rope Walk and Seafield Road accesses as well as 2m x 2m pedestrian splays onto Seafield Road. Due to the high stone boundary wall in Rope Walk the achievable visibility splays are virtually negligible. Commented that the revised plans now show the entire boundary wall in Rope Walk being reduced in height to 1m, with a 3m wide opening being formed to access a proposed boat store. Confirmed that visibility splays of only 2m x 8m would be available from this access and that these would be short of the visibility requirement and as a result, would recommend refusal. However, noted that the garage is now proposed to be used solely as a boat store and that provided the planning department could condition this use, the objection is withdrawn. Confirmed that as the vehicle access point onto Seafield Road has been moved in 1m from the 'Bryn Mawr' boundary, adequate pedestrian visibility splays would be achieved.

### **Parking / Turning**

Commented that the sole vehicle parking space now proposed is less than ideal for a dwelling of this size; however concluded that it would not be a sustainable reason to recommend refusal.



Stated that no provision has been made for turning on-site. Noted that while Seafeld Road is classified as the B3340 given its 'residential' nature and generally light/low speed traffic flows the turning requirement could be removed.

### Conclusion

Confirmed no objection but suggested that a highways condition requiring that the boat store and the area between it and rope walk must not be used for the purposes of vehicle access/parking.

### Parish/Town Council Comments

5.3 Seaview and Nettlestone Parish Council objected to the proposals for the following reasons:

- Overdevelopment
- The loss of a religious and community facility
- Loss of a historic wall within Rope Walk
- The site is located on the border of the conservation area
- Lack of consultation with local community

### Third Party Representations

5.4 The Council has received twenty four objections to the proposed development, raising issues that can be summarised as follows:

- The loss of the facility would harm the village and be contrary to advice contained within PPS 1 and DM7 of the Island Plan Core Strategy
- Alternative community uses should be found
- The building is in a sound condition
- The justification for the loss of the building should be carried out by an independent party
- The proposed dwelling would have a negative impact on the character and appearance of the conservation area and appear overbearing and over-dominant due to its size, scale, massing, design, lack of space between buildings and the design of the gable
- Proposed dwelling is too large/ should be scaled back
- Loss of light for neighbours
- Noise, disturbance and dust
- Overlooking and loss of privacy
- The site would lack adequate garden area for prospective occupiers and would therefore be contrary to the SPG (Residential Infill)
- Loss of a fine stone wall
- The dwelling will be used as another holiday home
- The dwelling should be provided as affordable housing

## **6. Evaluation**

### Whether the proposed development complies with the principle of planning policy

6.1 The proposed development raises two principle issues; firstly, whether the proposed residential use would be acceptable given the location of the site and secondly, whether the loss of the Church/ community use is acceptable. These two issues will be discussed in detail, below.

### *The proposed residential use*

- 6.2 The NPPF supports the development of new housing in the context of sustainable development and states that in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. While Seaview is not a defined settlement, it nevertheless is a large rural conurbation that includes a substantial number of houses. The village centre of Seaview comprises a mix of shops, pubs, hotels and a Church. Therefore, while not a defined settlement, Seaview is considered to be one of the more sustainable villages within the wider area, providing a significant number of homes and services to serve them.
- 6.3 The Core Strategy reflects the guidance contained within the NPPF and states that new development should take place within defined settlement boundaries. The Core Strategy sets three Key Regeneration Areas (The Medina Valley, Ryde and the Bay), two Smaller Regeneration Areas (Freshwater and Ventnor) and a further eleven Rural Service Centres within which new development will be expected to be directed. Areas outside of the identified regeneration areas and service centres are considered to be the Wider Rural Area where unless local need is identified, new development will not be supported.
- 6.4 Officers note that the application site is located outside of the defined regeneration areas and Rural Service Centres. Nevertheless, the proposed development would relate to previously developed land within a densely developed location that is characterised by residential development. Policy SP2 (Housing) identifies a need for 980 new houses within the Rural Service Centres and the Wider Rural Area. This is a small scale development that would meet with local housing needs for open market housing and would integrate with the village settlement. Overall, having regard to the housing need evidence available, and taking account of the date of submission of the application and guidance within the NPPF, officers are satisfied that the principle of residential development in this location is acceptable and accords with policy DM3 in respect of creating inclusive and sustainable communities and contributing to housing need for the local area. Furthermore, the proposed single house would reflect the density and character of the surrounding area. Effectively, while located within a rural area, the application site is considered to represent an infill plot or 'windfall site.'

### *The loss of the Church/ community use*

- 6.5 The provision of community facilities is a key planning consideration set out within both national and local planning policy guidance. Paragraph 7 of the National Planning Policy Framework (NPPF) states that planning authorities should support strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being.
- 6.6 More specifically, Section 3 (Supporting a prosperous rural economy) states that planning policies should support economic growth in rural areas. Section 3 goes on to state that plans should promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

- 6.7 Furthermore, Section 8 (Promoting healthy communities) states that planning policies and decisions should plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.
- 6.8 Policy DM7 of the Island Plan Core Strategy supports the provision of social and community facilities and states that the Council will only permit the loss of existing social and infrastructure facilities when it can be demonstrated that the facility is no longer needed for its original purpose or viable for any other purpose.
- 6.9 In this case and for the purposes of policy DM7 it is important to establish the extent of the specific community affected by the proposed closure of the Church. Information provided by the Portsmouth Diocese during the course of this planning application has shown that Seaview Roman Catholic Church has performed its role as a Catholic Church, but that it has not been used for alternative events or meetings not connected to the Roman Catholic Church. Therefore, the building has not been used historically or regularly by members of the wider community. Instead, its predominant use has been restricted to members of the congregation. Therefore, for the purposes of this application, the community in question is considered to be the Roman Catholic congregation and not the population of Seaview.
- 6.10 Key to this proposal is whether the loss of the Church would be prejudicial to the community because an alternative facility could not be provided within reasonable distance, therefore preventing the Roman Catholic congregation from practising their denomination of religion locally. The Council has received twenty four objections to the proposed development, of which seventeen have derived from residents of Seaview and of the seventeen objections from local people, ten people have specifically objected to the loss of the Catholic Church.
- 6.11 The Roman Catholic Church was constructed in the 1940s and funded by the local community. Since then, the building has been used for regular weekly services. However, the Church was closed in August 2011 and the Catholic Church now proposes to demolish the building and change the use of the site to residential.
- 6.12 The applicant, the Portsmouth Roman Catholic Diocesan Trust has submitted a detailed statement to justify the loss of the Church. The statement explains that the Church has historically suffered from declining numbers and that as a result, services have since 1985 been held on Mondays and apart from the peak summer seasons between 1994 and 2003 when Sunday evening masses were held. The submitted information states that on average fifteen parishioners have attended important services but that on average between six and eight people have attended mass with some attendees travelling from Bembridge and Ryde. This level of attendance correlates with the number of local people who have objected to the loss of the Church.
- 6.13 The statement continues on to state that few baptisms have taken place at the Church and that there have been no weddings or funerals, which is a telling indicator as to the potential for declining attendances. Statistics provided by the Diocese and held on the Church register show that in the past five years there has been one funeral held in April 2012, two Baptisms both held on 12<sup>th</sup> June 2010 and no marriages. The applicants have stated that the Church had in the past been opened for coffee mornings, art exhibitions etc but that this has not occurred for two years due to poor attendance. The statement concludes that the Church is the least used Catholic Church on the Island, is generally under used, has become costly to maintain and that its continued use cannot be justified.

- 6.14 During the course of the planning application the Council has received many comments from members of the public and parishioners, outlining the manner in which the Church has been used and its potential to remain as a place of worship or community building. The use of the Church as a community building will be discussed in detail separately.
- 6.15 Members of the public have commented that parishioners have had to travel to Churches in Bembridge and Ryde for Sunday mass due to the Church's decision to hold mass in Seaview on Mondays only (potentially as a consequence of rules brought into limit the number of masses that a priest can hold on a Sunday). The comments also state that the Church has been used for drop in meetings, coffee mornings, private prayer and that several funerals have indeed been held at the Church. The comments also reason that the incremental loss of such facilities can only harm the community and that greater consultation with the public and parishioners should have been carried out by the Diocese.
- 6.16 Officers recognise that the loss of an established Church, particularly one located at the heart of a village, can be an emotive issue. The public comments confirm the level of local feeling about the loss of the Roman Catholic Church and that many people have fond memories of services and events that have taken place since the Church was built. However, it is important that the assessment of this current proposal is based upon planning policy guidance and material considerations. This approach should separate the emotive issues and concentrate on the facts to hand in order that a fair decision is reached and that complies with the requirements of section 70 (2) of the Planning Act, which states that in reaching its decision, the planning authority should have regard to the provisions of the development plan, so far as material to the application.
- 6.17 The information submitted by the Catholic Diocese paints a picture of declining attendance at the Roman Catholic Church and unsustainable costs of maintaining an under used building. The figures and commentary submitted reason that Sunday services at the Church were poorly attended and that those subsequently held on a Monday also suffered from low attendance. There is no definitive information to dispute the low levels of attendance. Coupled with this, the submitted information demonstrates that the number of weddings, funerals and baptisms at the Church have been low and infrequent. Again, whilst public comments refer to the occurrence of such occasions, they do not state that they were frequent.
- 6.18 In assessing the information, the Council must take into account whether in the event of closure, alternative nearby Churches could cater for the congregation at Seaview and therefore meet the needs of the community. Officers note that there is a Roman Catholic Church within nearby Bembridge and a further Roman Catholic Church in Ryde. It is Officer's opinion that while the loss of the Roman Catholic Church is unfortunate, the Diocese has provided information to demonstrate that when open, attendances were low. Weight must also be attached to the fact that while for planning purposes the site remains a Church, the Diocese has already taken the decision to cease to use it for services and that it has been closed since August 2011. Given the submitted information, it is considered that on balance, the current use of the site as a Church is no longer required.
- 6.19 For planning purposes, the Church is considered to be a community building. As stated above, policy DM7 states that the Council will only permit the loss of existing social and infrastructure facilities when it can be demonstrated the facility is no longer needed for its original purpose or viable for any other purpose. Several of the public comments have reasoned that the Church should be put to an alternative community use rather than for the proposed residential use.

6.20 The applicant's submitted information reasons that the building would not be required for community use as alternative venues exist within Seaview to cater for demand. The applicants have referred to the following venues:

- Seaview Yacht Club
- The Old Fort Public House
- The Northbank Hotel
- Graces Church
- St Peter's Church
- The Masonic Lodge
- Seaview Hotel

Officers note that community buildings are essential to the functioning of a community and contribute to the social fabric of settlements. Added to this, the Church is located within the centre of Seaview and close to many houses. Nevertheless, the Masonic Hall and St Peter's Church Hall are within 100m and 200m respectively of the application site while the remaining alternative venues are all within reasonable walking distance of the site.

6.21 Officers have investigated the potential for meetings and events to be held at the hotels and public houses referred to by the applicant. The Seaview Hotel offers facilities for meetings, catering for between 10 and 200 persons. However, no evidence could be sourced to show that the remaining venues could be booked for events. Nevertheless, Officers are of the opinion that there would be several alternative and existing venues that could be used for community events and meetings. In addition, weight must be attached to the fact that only events connected to the Roman Catholic Church were carried out at the application site.

6.22 In conclusion, while the loss of the current Church would be unfortunate, Officers are of the view that the information provided has demonstrated that the current Church is under-utilised and that alternative Roman Catholic Churches within Bembridge and Ryde could cater for the needs of parishioners and thus, not compromise their right to worship locally. Officers are also satisfied that there are existing alternative community facilities within Seaview to provide venues for meetings and other public events. Therefore, on balance and on the basis of the submitted information, it is considered that a suitable justification has been submitted for loss of the Church and community use.

#### *Planning and equality*

6.23 The Equality Act came into force in October 2010 and protects people from discrimination on the basis of the following 'protected characteristics': Disability; Gender Reassignment; Pregnancy and Maternity; Marriage and Civil Partnership; Race; Religion or belief; Sex; Sexual Orientation; and Age. Section 149 of the Act imposes a 'General Equality Duty' on all public bodies covered by the Act, to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Act;
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- Foster good relations between people who share a protected characteristic and people who do not share it.

The three arms of the General Duty are collectively referred to as the 'duty to promote equality'.

- 6.24 In assessing this current planning application, the Council has taken into account the needs of local parishioners and whether these could be met by alternative venues within reasonable proximity to their homes should the existing Roman Catholic Church be redeveloped and the use changed to a non-faith use. Thus the Council has assessed the needs and expectations of Roman Catholic parishioners and the impact of the proposal upon their lives.

Whether the design and appearance of the development would be acceptable in relation to the pattern and character of development in the surrounding area and adjacent conservation area

- 6.25 Policy DM2 (Design Quality for New Development) reflects the general advice contained within the NPPF, stating that the Council will support proposals for high quality and inclusive design to protect, conserve and enhance the Islands existing environment while allowing change to take place. The policy states that development proposals will be expected to provide an attractive built environment, be appropriately landscaped, compliment the character of the surrounding area, particularly in conservation areas.
- 6.26 The Officer site inspection showed that Seafield Road has a predominantly residential character and that the street scene includes a range of property types. The western side of Seafield Road is dominated by an Edwardian era terrace of two storey cottages that are built in the Arts and Crafts style and include features such as bay windows, timber balconies, pebbledash render, gables and clay tiled roofs. The eastern side of the road, within which the application site sits, comprises more variety and houses are not of such character. Houses on this side of the road date from the inter war period and include features such as projecting gabled bays, deep side elevations, large windows, hipped tiled roofs and front gardens.
- 6.27 The applicant's design and access statement reasons that the proposed design has been developed to respect the traditional form of Seafield Road but that the use of contemporary materials would provide a modern approach. In addition, the design and access statement explains that the front roof gable has been hipped to reduce the impact on the Seafield Road street scene and that the rear gable would relate to the three-storey buildings to the east within Rope Walk.
- 6.28 The submitted plans show that the proposed house would be two-storey with a tall gabled roof. The submitted street scene confirms that the eaves and roof height of the proposed house would provide a steady transition between the existing houses either side of the site. This would accord with the pattern of development in the area, where roof heights gradually rise to the south due the topography of the area. The rear gable would be higher and include a window at roof level. This would increase the scale of the rear elevation. However, the roof height would accord with those of existing properties and would not harm the appearance of the street scene when viewed from Rope Walk.
- 6.29 The submitted plans show that suitable gaps would be provided between the proposed house and the existing houses to the north and south, preventing the street scene from appearing cramped or overdeveloped. As a result, Officers are of the opinion that the proposed house would be a suitable size and scale and reflective of the pattern and scale of development in the area.
- 6.30 The proposed house would have a simple and fresh appearance. Fenestration would be well arranged and provide a suitable ratio between solid wall and openings. Furthermore, the contrast of materials, proposed porch and openings would enliven the form of the house. Elevations would be finished with white render at ground floor level with the remainder to be finished with cedar cladding. Officers are of the opinion

that the combination of materials and the simple form of the house would allow a balance between the traditional dwellings within Seafield Road and a more modern design solution. This would pay reference to the older terraced properties to the west and the more recent houses that align the eastern side of Seafield Road. Each design solution would have been contemporary at the time of construction and as a result, it is considered that the proposed house would reflect this approach and accord with the character of the adjacent conservation area.

- 6.31 The submitted plans show that a small detached boat store would be provided at the rear of the site. The store would be a relatively small structure that would appear ancillary to the proposed house but, due to the use of materials, blend in well with the design approach for the site. The Officer site inspection showed examples of similar ancillary flat roofed buildings to the rear of properties and therefore Officers are of the opinion that the store would not appear incongruous.
- 6.32 Members of the public have referred to the loss of the current rear boundary wall that aligns Rope Walk. Officers consider that the wall does contribute to the area but that in several places sections have been removed to provide access to houses. The plans show that the wall would be retained but lowered to a height of 1m and a 3m section removed to provide access to the proposed boat store. Officers are of the opinion that this approach would reflect the existing situation in Rope Walk and therefore not harm the adjacent conservation area. The proposal is therefore considered to be in compliance with the requirements of policy DM11.

#### Impact on the amenities of neighbouring property occupiers

- 6.33 The Officer site inspection showed that the property to the south (Pond Cottage) includes narrow secondary windows at ground, first and roof level within the side elevation that faces on to the application site. Given the secondary nature of the windows and the space proposed between the proposed house and Pond Cottage (2m) it is considered that impacts in terms of loss of light and outlook would merely reflect the typical relationship shared by properties in the area and not harm the living standards of the occupants of this property. Furthermore, the plans show that the footprint of the proposed dwelling would not surpass the front and rear walls of Pond Cottage to such an extent to cause a loss of light or outlook from principal windows.
- 6.34 The property to the north, Bryn Mawr, includes a large side elevation window at first floor level that would face the proposed house. The window faces south and therefore the proposed house would to an extent result in a loss of light and outlook. However, the Officer inspection showed that this is a secondary window and that the room that it serves includes French windows that face east, providing adequate levels of light and outlook. The French windows lead onto a balcony that is set at first floor level. While the balcony would allow views of the proposed house, it is considered that the separation distance of 4.5m would mitigate massing. In addition, the balcony would retain its main outlook to the east, allowing sufficient light and views.
- 6.35 Bryn Mawr includes a rear ground floor conservatory. However, the submitted plans show that the proposed house would not surpass the rear elevation of the conservatory, preventing adverse levels of loss of light. Further, a distance of 5.5m would be provided between the proposed house and the conservatory, preventing adverse levels of loss of light and outlook.

#### The proposed layout of the site

- 6.36 The Council's Ordnance Survey plans show that the surrounding area is laid out in a typical rigid layout, with narrow rectangular shaped plots running east west between highways. Properties are set back from the highway with narrow front gardens. The

submitted plans show that the application site forms a typical rectangular plot located between Seafield Road and Rope Walk. The proposed site plans show that the house would be set back in line with the existing houses either side of the application site and that a small front garden would be provided to the front. The proposed rear garden would be typical of the area and commensurate to the proposed level of accommodation. As a result, Officers consider that the proposed site layout would accord with the pattern of development within the area.

Highway implications and whether appropriate mitigating measures can be provided to offset impacts of traffic generation

*Parking provision*

- 6.37 The revised plans show that the site would include a single parking space, located to the front of the house. The application site is located within ready walking distance of the shops and other amenities within the centre of Seaview and as a result, this site is considered to be more sustainable. As a result, the level of on-site parking is considered to be acceptable.

*Highway safety*

- 6.38 The proposed plans show that the site would include a single parking area to the front of the site and a boat store to the rear, accessed from Rope Walk. Given the speed limit for Seafield Road (30mph) splays of 2m x 43m should be provided in either direction for the proposed parking area. The Highway Officer has confirmed that adequate splays would be provided for the revised access and as a result, the proposal would not compromise highway safety.
- 6.39 The proposed access from Rope Walk would not be used by vehicles and instead would only be used to serve the proposed boat store. Therefore, while the visibility splays about this access would be significantly below those required for a vehicular access, as this would not be used by vehicles, an objection for highway safety reasons would be unreasonable. Officers are satisfied that this issue could be addressed by condition.

**7. Conclusion and Justification for Recommendation**

- 7.1 Having given due weight and consideration to all comments received in relation to this application and for the reasons given above the proposal is considered to be in accordance with the requirements of the policies listed within this justification and as a result, is recommended that Members resolve to grant permission subject to the advised conditions listed below.

**8. Recommendation**

- 8.1 Conditional permission.

**9. Reason for Recommending Conditional Permission**

- 9.1 In reaching the decision to grant planning permission account has been taken of national planning policy guidance (NPPF) and the policies contained within the Island Plan Core Strategy.

The principle reasons for granting planning permission are:

- 9.2 While outside of a defined settlement, the proposed use of the site for a single residential unit would reflect the residential character of the area. Furthermore, Officers



are of the opinion that the submitted information has justified the loss of the current use of the site and that alternative venues within Seaview could adequately provide locations for community meetings and events. The proposal therefore meets the general objectives of the NPPF and policies SP1 (Spatial Strategy) and SP2 (Housing) of the Island Plan Core Strategy.

- 9.3 It is considered that the proposed design and scale of the house would compliment the character or that of the surrounding area and that the proposed site layout would accord with the pattern of development in the locality. Furthermore, Officers are of the opinion that sufficient amenity space would be provided and that the level of parking provided would be commensurate to the level of accommodation.
- 9.4 There would be no unacceptable adverse impact upon neighbouring property occupiers owing to the siting of the building and its relationship to the character of the area. As a result, the proposed development would accord with the principles of policies DM2 (Design Quality for New Development), DM11 (Historic and Built Environment) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy and the NPPF.
- 9.5 Having regard to the above and having taken into account all relevant material considerations, it is concluded that the proposal is in full conformity with the provisions of the development plan.

#### **Conditions/Reasons:**

- 1 The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

**Reason:** To comply with Section 92 of the Town and Country Planning Act 1990 (as amended) and to prevent the accumulation of unimplemented planning permissions.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbered below:

SK483/01A  
SK483/03A  
SK483/04C

**Reason:** For the avoidance of doubt and to ensure the satisfactory implementation of the development in accordance with the aims of policies SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 3 No development shall commence until detailed plans at a scale of 1:20 of glazing bars, mullions, window and door surrounds new doors and windows have been submitted to and agreed in writing with the Local Planning Authority. All windows and doors shall be constructed of timber. Development shall be carried out in accordance with the approved details.

**Reason:** In order to maintain the character and appearance of the area, to comply with the advice contained within the National Planning Policy Framework and to comply with the requirements of policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy.

- 4 No development shall take place until samples of materials to be used for the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

**Reason:** In order to maintain the character and appearance of the area, to comply with the advice contained within the National Planning Policy Framework and to comply with the requirements of policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy.

- 5 No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority of the design, materials and type of boundary treatment to be erected. The agreed boundary treatment shall be completed in accordance with the approved details prior to the first occupation of the approved dwelling and shall be retained thereafter.

**Reason:** In the interests of the character of the surrounding area and to comply with the advice contained within the National Planning Policy Framework and to comply with the requirements of policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy.

- 6 The dwelling hereby permitted shall not be occupied until space has been laid out within the site in accordance with drawing number SK483/04C for 1 car to be parked. The space shall not thereafter be used for any purpose other than that approved in accordance with this condition.

**Reason:** In the interests of highway safety and to comply with the requirements of policy SP7 (Travel) of the Island Plan Core Strategy.

- 7 Visibility splays of XX about the site access shall be maintained free from obstruction at all times.

**Reason:** In the interests of highway safety and to comply with the requirements of policy SP7 (Travel) of the Island Plan Core Strategy.

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no development within Classes A to E of Part 1 of Schedule 2 to that Order shall be carried out other than that expressly authorised by this permission.

**Reason:** To protect the amenities of adjoining neighbours, to regulate design in relation to the main building and to comply with the advice contained within the National Planning Policy Framework and to comply with the requirements of policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy.

- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order, with or without modification), no windows, dormer windows or velux windows shall be inserted unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** To protect the privacy of occupants of neighbouring properties, to regulate design in relation to the building and to comply with the advice contained

within the National Planning Policy Framework and the requirements of policies DM2 (Design Quality for New Development) and DM11 (Historic and Built Environment) of the Island Plan Core Strategy.

- 10 The access to the rear of the site and accessed via Rope walk shall not be used by vehicular traffic at any time and shall not be widened.

**Reason:** The access would not meet the required standards for visibility splays and if used by vehicular traffic would compromise highway safety and therefore be contrary to the requirements of policy SP7 (Travel) of the Island Plan Core Strategy.

